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1 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
2 FOR THE COUNTY OF YAVAPAI

3  
4 STATE OF ARIZONA, )  
5 Plaintiff, )  
6 vs. ) Case No. V1300CR20108-0049  
7 JAMES ARTHUR RAY, )  
8 Defendant. )  
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14 REPORTER'S TRANSCRIPT OF PROCEEDINGS  
15 BEFORE THE HONORABLE WARREN R. DARROW  
16 ORAL ARGUMENT/EVIDENTIARY HEARING  
17 RE PENDING MOTIONS, DAY THREE  
18 NOVEMBER 16, 2010  
19 Camp Verde, Arizona  
20 (Partial transcript)  
21  
22  
23

24 REPORTED BY  
25 MINA G. HUNT  
AZ CR NO. 50619  
CA CSR NO. 8335

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1 Proceedings had before the Honorable

2 WARREN R. DARROW, Judge, taken on Tuesday,  
3 November 16, 2010, at Yavapai County Superior Court,  
4 Division Pro Tem B, 2840 North Commonwealth Drive,  
5 Camp Verde, Arizona, before Mina G. Hunt, Certified  
6 Reporter within and for the State of Arizona.  
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PROCEEDINGS

THE COURT: We're on the record in State versus James Arthur Ray. Mr. Ray has waived his appearance for this hearing. He is represented by Mr. Li, Ms. Do, Ms. Seifter and Mr. Kelly. Ms. Polk is here for the state.

When we had ended the hearing last week, Mark Rock was testifying. Counsel?

MR. KELLY: Correct, Judge.

THE COURT: If we could get Mr. Rock back on the stand, please.

Sir, please have a seat at the witness stand again.

Good morning, sir. Of course, you're still under oath, Mr. Rock.

THE WITNESS: Good morning, Your Honor.

MR. KELLY: Thank you, Judge. May I approach?

THE COURT: Yes

CROSS-EXAMINATION (Continued)

BY MR. KELLY:

Q Mr Rock, I'm handing you what's been marked Exhibit 130 And I'd ask you to take a moment and look at that document

A Yes.

Q You've had a chance to look at

6

Exhibit 130?

A I see it. Yes.

Q And are those the notes that you provided to the Yavapai County Attorney's Office through Sheila Polk?

A They are a copy of them. Yes.

Q And Exhibit 130 -- does it contain some handwriting?

A Yes, it does.

Q And is that your handwriting?

A Yes, it is.

Q. It's my understanding you provided exhibit -- or this is a copy But the original of Exhibit 130 to the State of Arizona yesterday Is that correct?

A Yes.

Q Any reason why you would not provide a copy to Ms Polk last Wednesday?

A I had called and left a message for Detective Ross and told him I had a copy of these notes, and he said he already had a copy.

Q Maybe my question was not clear. Last Wednesday you and I discussed the existence of your notes during this proceeding Do you recall that discussion?

7

A In the courtroom?

Q Yes, sir.

A Yes.

Q And after that discussion you were asked to leave the courtroom; correct?

A Yes.

Q. And Ms. Polk approached you in the hallway and asked for your notes; correct?

A No. That's not correct. She asked me if I wanted to give her those notes at that time.

Q And you refused to do that, correct?

A I said I wanted to look at them.

Q. And my question, Mr. Rock, is why did it take some four or five days to produce those notes instead of simply giving them to the Yavapai County attorney last Wednesday?

A Because I wanted to look at them. And when I looked at them, I realized that it was really no big deal.

Q So --

A Your attitude and actions in the courtroom made me second guess what I was thinking. Because you became totally out of control, got up from your chair, started accusing me and trying to berate me and treating me less than human.

8

Q. Would you agree with me that between Wednesday through Monday when you gave Exhibit 130 to the State of Arizona, you were the only person in possession of those documents; correct?

A Yes.

Q. You were the only one free to review the contents of Exhibit 130 between Wednesday and Monday; correct?

A That's correct.

Q. And Ms. Polk was not afforded the opportunity to review Exhibit 130 before your disclosure yesterday, correct?

A I called them and let them know that they were available. But they were closed because the next day was Veterans Day.

Q. Ms. Polk did not review those notes between last Wednesday when you left the courtroom until you gave them to her yesterday Fair statement?

A That's when -- as soon as they could come and get them.

Q. So the only one who would know whether or not Exhibit 130 is complete is yourself; correct?

A What do you mean complete?

Q You refused to give them to Ms Polk last

9

1 Wednesday; correct, sir?  
2 A. I didn't refuse at all. I just said I  
3 wanted to review the notes.  
4 Q. You would not allow her to make a copy  
5 until yesterday is my point, correct?  
6 A. I called immediately after I had gotten  
7 back to Angel Valley, and I couldn't get through.  
8 That's why she couldn't get them until Wednesday.  
9 Q. You did not give them to her in the  
10 courtroom here in the Verde Valley Justice Center  
11 last Wednesday?  
12 A. No, I did not.  
13 Q. Now, Mr. Rock, I want to take you back to  
14 2008 in your testimony. You described to  
15 Judge Darrow last Wednesday as you remember them;  
16 correct?  
17 A. Correct.  
18 Q. And those -- or that recollection is after  
19 you reviewed a statement prepared by Sheryl Stern,  
20 correct?  
21 A. I had said that I had reviewed Sheryl  
22 Stern's statement. Yes.  
23 Q. And your testimony last Wednesday was  
24 after reviewing the notes which have been marked as  
25 an Exhibit 130, correct?

10

1 A. I've had those notes since 2008. So yes.  
2 I've had plenty of time to review them.  
3 Q. And also you've had the opportunity to  
4 discuss what happened in 2008 with your wife, Vicky  
5 Rock, correct?  
6 A. At what point are you trying to figure  
7 that one out?  
8 Q. All my questions, sir, center between 2008  
9 at the conclusion of the Spiritual Warrior ceremony  
10 through your testimony last Wednesday. Do you  
11 understand the time frame?  
12 A. From 2008 to the time that I testified, of  
13 course, I've had time to talk with my wife about the  
14 notes.  
15 Q. So you spoke with your wife, you've  
16 reviewed Sheryl Stern's statement, and you reviewed  
17 Exhibit 130?  
18 A. Right.  
19 Q. Any other documents that you reviewed?  
20 A. Absolutely. After the 2009 event, I went  
21 back and I read all of Carlos Castaneda's books,  
22 which is what James Ray took most of Spiritual  
23 Warrior from.  
24 Q. In addition to those books, any other  
25 documents that you reviewed during that time frame?

11

1 A. Just books written by other authors.  
2 Q. Did you speak with any individuals  
3 personally about what happened in 2008 other than  
4 your wife?  
5 A. Did I speak with anybody -- not that I can  
6 recall.  
7 Q. Did you speak with Mr. or Mrs. Hamilton  
8 about what happened?  
9 A. In 2008?  
10 Q. Yes, sir.  
11 A. Yes, I did.  
12 Q. And was that prior to your testimony?  
13 A. Yes, it was.  
14 Q. Now, in addition to Miss Rock, Mr. and  
15 Mrs. Hamilton, did you speak with anyone personally  
16 about what happened in 2008?  
17 A. Right at this moment I can't recall.  
18 Q. Do you recall making a statement to  
19 Detective Wendy Parkinson back on October 8, 2009,  
20 as to what occurred in 2008?  
21 A. I barely remember speaking with her  
22 because I was still in an altered state.  
23 Q. And what do you mean by an "altered  
24 state"?  
25 A. Altered states are created by lack of

12

1 oxygen. I explained that before.  
2 Q. And in this altered state, then, is it  
3 your testimony that what you said is not accurate?  
4 A. That what?  
5 Q. When you're in an altered state, is your  
6 recollection and your subsequent testimony, then,  
7 not accurate?  
8 A. That's not what I'm saying. No. I'm  
9 saying -- I would need to refresh my memory as to  
10 what exactly I said to her.  
11 MR. KELLY: If I may approach?  
12 THE COURT: Yes.  
13 Q. BY MR. KELLY. Mr. Rock, I'm going to hand  
14 you what's been admitted as Exhibit 124, which is  
15 the written transcript of your statement of  
16 October 8, 2009. Have you had a previous  
17 opportunity to review that statement? Did you hear  
18 my question?  
19 A. No. I'm sorry. I was looking at the  
20 notes.  
21 Q. Have you had a chance to look at that  
22 transcript before your testimony?  
23 A. No.  
24 Q. And I'd ask you to take a minute and  
25 review it please.

13

1 MS. POLK: Your Honor, I don't believe the  
2 state has a copy of this transcript.  
3 MR. KELLY: I provided one last Wednesday.  
4 THE WITNESS: Okay.  
5 Q. BY MR. KELLY You've had a chance to look  
6 at Exhibit 124, correct?  
7 A. Uh-huh.  
8 Q. Mr. Rock, were you in an altered state  
9 when those statements were made?  
10 A. Yeah. I was slightly altered.  
11 Q. Does that mean that we cannot rely on the  
12 content or the substance?  
13 A. No, it doesn't. Because it's as accurate  
14 as I can remember.  
15 Q. Very good. If you would please, then,  
16 turn to page 3, line 22. Detective Parkinson asked  
17 you the question. Have you ever done a sweat lodge  
18 before? What was your response?  
19 A. Yeah.  
20 Q. And she said where? What was your  
21 response?  
22 A. Here last year.  
23 Q. And after Detective Parkinson says okay,  
24 what was your statement?  
25 A. I was a participant.

14

1 Q. And then she asked the question. Okay  
2 Was there anything different about the sweat lodge  
3 from last year as opposed to this year? What was  
4 your response?  
5 A. No.  
6 Q. She asked the question. It's the same?  
7 And what was your response?  
8 A. It felt the same.  
9 Q. Could you read your response to  
10 Judge Darrow, please.  
11 A. It's the same, pretty much the same. Heat  
12 level felt the same. It was enclosed the same way.  
13 Q. Then there is a discussion about the  
14 number of rocks. And I'm summarizing, sir, but you  
15 explained to Detective Parkinson that last year  
16 there were seven rounds and in 2009 eight rounds;  
17 correct?  
18 A. Correct.  
19 Q. Now, you make reference, sir, in that  
20 exchange with Detective Parkinson that last year in  
21 2008 you were a participant; correct?  
22 A. Correct.  
23 Q. And in 2009 you came back as a Dream Team  
24 member, correct?  
25 A. That's correct.

15

1 Q. And were you given a blue T-shirt as a  
2 Dream Team member?  
3 A. Yes.  
4 Q. And on the bottom of that Dream Team -- it  
5 says "Dream Team" in large letters. Underneath in  
6 smaller letters it says "James Ray International",  
7 correct?  
8 A. I don't recall that.  
9 Q. And then next to it a website. Does that  
10 refresh your recollection?  
11 A. Pardon?  
12 Q. Next to the "James Ray International" in  
13 small letters is a website.  
14 A. I don't recall that. I just remember it  
15 was blue and it said "Dream Team" on it.  
16 Q. And you volunteered, then, to help the  
17 participants during the 2009 event as a Dream Team  
18 member; correct?  
19 A. Correct.  
20 Q. In reviewing your transcripts, and again  
21 sir --  
22 If I may approach, Judge?  
23 THE COURT: Yes.  
24 Q. BY MR. KELLY: You were interviewed  
25 September 21, 2010, by Detective Ross Diskin. I'm

16

1 handing you what's been marked as Exhibit 125. I've  
2 had a chance to review both 124 and 125. And this  
3 is the second time we've ever met -- correct? -- you  
4 and I?  
5 A. Yes.  
6 Q. We haven't --  
7 A. Well, I haven't met you because you  
8 haven't told me who you are.  
9 Q. I'm Tom Kelly.  
10 A. Thank you. It's nice to meet you, Tom  
11 Kelly.  
12 Q. I represent James Ray. And we've never  
13 had a chance to discuss your memory as to what  
14 happened?  
15 A. Not to my knowledge.  
16 Q. 2008 or 2009, correct?  
17 A. Correct.  
18 Q. Now, when I review these transcripts, you  
19 indicated to both Detective Parkinson and  
20 Detective Diskin that you were encouraged both as a  
21 participant as well as a Dream Team member to  
22 hydrate, hydrate, hydrate; correct?  
23 A. Yes, I was.  
24 Q. And that encouragement was articulated to  
25 all the participants and Dream Team members. Fair

17

1 statement?  
2 **A. Yeah. I felt more so in 2008. But yes.**  
3 **Q** I've had a chance now to take a look at  
4 the notes prepared by Julie And I've forgotten the  
5 exhibit number. It's the -- I believe it's 130  
6 The encouragement to hydrate is contained within  
7 those notes as well, correct?  
8 **A. Yes, it is.**  
9 **Q** Also in looking at and reviewing  
10 Exhibit 130 last night the -- immediately before the  
11 2009 and 2008 sweat lodge event itself there was a  
12 public meeting in which James Ray spoke; correct?  
13 Maybe that's a poor question Let me try again.  
14 In 2008 before the sweat lodge started,  
15 was there a public meeting with all the participants  
16 and James Ray was present?  
17 **A. With the group?**  
18 **Q.** Yes, sir  
19 **A. At Spiritual Warrior?**  
20 **Q** Yes  
21 **A. Yeah. It was the first night.**  
22 **Q** And, again, this is a poor question I  
23 don't want to take you sequentially event by event  
24 throughout the multiday Spiritual Warrior event  
25 But immediately before the participants entered into

18

1 the sweat lodge, was there not a public meeting  
2 where everyone gathered?  
3 **A. Yes.**  
4 **Q** And during that public meeting Mr Ray  
5 indicated that it was going to be very hot in the  
6 sweat lodge, correct?  
7 **A. Yes.**  
8 **Q.** And people were encouraged to hydrate,  
9 correct?  
10 **A. Yes, they had been.**  
11 **Q.** And it's my understanding that the meeting  
12 that I described took place between the Vision Quest  
13 and the sweat lodge events. Correct?  
14 **A. Correct.**  
15 **Q.** And also in addition to that public  
16 meeting was the opportunity to eat food; correct?  
17 **A. Yes. They were -- they had breakfast.**  
18 **Q** And it's my understanding in speaking to  
19 the other witnesses during this evidentiary hearing  
20 that any participant in the sweat lodge both in 2008  
21 and 2009 would be free to leave at any time with the  
22 exception that they should wait between rounds. Is  
23 that a fair statement?  
24 **A. Correct.**  
25 **Q.** And, in fact, I believe your wife told us

19

1 that she left during one of the earlier rounds after  
2 the first round I believe Correct?  
3 **A. That's what she ended up telling me she**  
4 **did.**  
5 **Q.** And did you make it through all the rounds  
6 on both occasions?  
7 **A. No, I did not.**  
8 **Q.** It was in 2008 you left in the fourth or  
9 fifth round I believe. Correct?  
10 **A. I was in for a couple rounds. I was out.**  
11 **And then I was in for a round. I was out. And then**  
12 **I was in for I believe it was the last two rounds.**  
13 **That was 2008.**  
14 **Q** And you described in these interviews to  
15 the various investigating detectives that it was the  
16 type of a personal challenge that each individual  
17 had to accept the responsibility for his or her  
18 actions and attempt to complete this particular --  
19 **A. I don't know where -- I don't see where I**  
20 **said that.**  
21 **Q.** These are my words Not yours.  
22 **A. Yeah. I think you are using your own**  
23 **words.**  
24 **Q.** That's how I'm characterizing when I read  
25 this, that each individual was responsible for his

20

1 or her own decision as to how much they wanted to  
2 participate in the sweat lodge and the other events  
3 that week. Correct?  
4 **A. You can characterize it any way you'd**  
5 **like.**  
6 **Q.** Let's talk about you. You were capable of  
7 making your own decision, correct?  
8 **A. I was capable of making my own decision.**  
9 **Q** And you accepted the responsibility for  
10 your decisions, correct?  
11 **A. Yes. That's who I am.**  
12 **Q** As you just told Judge Darrow, in 2008 you  
13 in exercising your free will and accepting  
14 responsibility for your actions came and left  
15 several times throughout the sweat lodge ceremony;  
16 correct?  
17 **A. I came and left at my own free will.**  
18 **Q.** And when you left, then, were you -- was  
19 there water available to hydrate?  
20 **A. Yes.**  
21 **Q** Now, in 2009 did you do the same thing or  
22 was it different?  
23 **A. No. I did not leave.**  
24 **Q.** You stayed each and every round?  
25 **A. Yes, I did.**

21

1 Q Did you ever come out throughout the  
2 breaks?  
3 A No.  
4 Q You could have if you wanted to; correct?  
5 A Of course. Everyone is able to make their  
6 own choices. And I make my own choices.  
7 Q It's also my understanding, Mr. Rock, that  
8 some people chose not to participate at all.  
9 Correct? Let me rephrase my question Let me be  
10 more specific Some people, specifically Dream Team  
11 members, chose not to participate in the sweat lodge  
12 at all, correct? They remained outside?  
13 A Yeah. They remained outside.  
14 Q. Maybe that's a form of participation. So  
15 it's a poor question?  
16 A. Right. They were participating on the  
17 outside.  
18 Q As a participant or Dream Team member in  
19 exercising free will, a person can remain outside if  
20 they chose to, correct?  
21 A. As a Dream Team member?  
22 Q. Yes  
23 A. Actually, we were given our assignments by  
24 Megan.  
25 Q Can you tell us Megan's last name

22

1 A. Fredrickson.  
2 Q And your assignment in 2009 was?  
3 A. To be the keeper of the north.  
4 Q You also mentioned that in 2009, both in  
5 your statement as well as in response to a question  
6 last week that, in your opinion, the men in 2009 had  
7 a higher testosterone level, correct?  
8 A. Correct.  
9 Q And what did you mean by that?  
10 A. They were more aggressive in their  
11 behavior, more gung ho.  
12 Q Did they appear to play full on with  
13 greater enthusiasm than in 2008?  
14 A. Yes.  
15 Q We have photographs of the sweat lodge  
16 itself. But my understanding -- and I'm asking you  
17 to think back about being in the sweat lodge -- it's  
18 very dark when the flap and the door is closed and  
19 the ceremony begins, correct?  
20 A. Yes.  
21 Q And at times in 2009 people were lifting  
22 the corner of the sweat lodge on the wall. Is that  
23 a fair statement?  
24 A. Yes.  
25 Q And I believe you told us that was to try

23

1 to get more cold air, cool air or oxygen; correct?  
2 A. Correct.  
3 Q. And that would also let light in, correct?  
4 A. Pardon?  
5 Q. That would also let light into the  
6 structure; correct?  
7 A. Yeah, it would.  
8 Q When you described the distress in 2009,  
9 you did not call 911; correct?  
10 A. No.  
11 Q. You didn't transport anyone to a medical  
12 facility, correct?  
13 A. Correct.  
14 Q. And you didn't have any personal  
15 conversations with Mr. Ray after the 2009 incident;  
16 correct?  
17 A. Correct.  
18 Q. We talked about Barbara Waters. You know  
19 who Barbara Waters is; correct?  
20 A. Correct.  
21 Q And in 2008 Barbara Waters was a  
22 participant, correct?  
23 A. Correct.  
24 Q. And in 2009 like you, she volunteered to  
25 be a Dream Team member?

24

1 A. Correct.  
2 Q. In -- I want to take you back to  
3 Detective Parkinson's interview on October 8, 2009,  
4 which you had a chance to look at. Where did that  
5 interview take place. Do you remember?  
6 A. In 2008 or 2009 -- 2009. I'm sorry.  
7 Q It's October 8 of 2009 if I misstated it  
8 Shortly after the 2009 incident, you were  
9 interviewed by Detective Parkinson?  
10 A. It was in the cafeteria or lunch area.  
11 Q About what time of the day? Do you  
12 recall?  
13 A. It was evening. It was dark.  
14 Q. And on page 13, line 11, you were  
15 discussing the tragedy which occurred in 2009, and  
16 you told Detective Parkinson the only thing I can  
17 think of is that there was some type of toxic --  
18 that you know -- it was a toxin, carbon monoxide or  
19 something. I don't know; correct?  
20 A. That's what I said. Yes.  
21 Q So that was one of the first things that  
22 came to your mind. Fair statement?  
23 A. It came to my mind shortly in the  
24 interview. Yes.  
25 Q. Now, in 2010 you were interviewed by

25

1 Detective Diskin; correct?  
2 A. Yes.  
3 Q And your wife, Vicky Rock, was present  
4 during the interview, correct?  
5 A. No.  
6 Q Well --  
7 A. I don't remember her being -- for part of  
8 it we were interviewed separately.  
9 Q If you take a look at Exhibit No 25, just  
10 as a random example, on page 29, line 21, in  
11 addition to Detective Diskin's name it says Vicky  
12 Rock So to me that implies she was present at  
13 least part of the time  
14 A. Yeah. She was there for that.  
15 Q And this interview took place at Angel  
16 Valley itself; correct?  
17 A. Correct.  
18 Q You and your wife had moved to Angel  
19 Valley in August of 2010, I believe?  
20 A. The end of August.  
21 Q And you and she reside there in return for  
22 providing various services to Angel Valley, correct?  
23 A. Correct.  
24 Q Now, my question is this, Mr Rock. How  
25 did the interview come about?

26

1 A. How did the interview come about?  
2 Q Yes In other words, how was it arranged  
3 that Detective Diskin was going to show up on  
4 September 21 and interview you?  
5 A. It was arranged by, I believe, Amayra  
6 Hamilton. She asked me -- we were talking about my  
7 experiences there at Angel Valley, and she asked me  
8 if I wanted to talk to the detective.  
9 Q So your understanding is Amayra was the  
10 one that arranged this interview between you and  
11 Detective Diskin?  
12 A. Correct.  
13 Q Were you aware in September of 2010 that  
14 Mrs Hamilton and Angel Valley had been sued by the  
15 victims of the 2009 sweat lodge?  
16 A. Yes.  
17 Q Were you aware that in turn Angel Valley  
18 and Amayra Hamilton had turned and sued James Ray  
19 and James Ray International?  
20 A. At that time I'm not sure.  
21 Q Are you aware of that today?  
22 A. I'm aware of that today. Yes.  
23 MR. KELLY: Thank you, sir.  
24 Thank you, Judge.  
25 THE COURT: Thank you, Counsel.

27

1 Redirect?  
2 MS. POLK: Thank you, Judge.  
3 REDIRECT EXAMINATION  
4 BY MS. POLK:  
5 Q. Good morning, Mr Rock  
6 A. Good morning.  
7 Q Just to clear up the issue of the  
8 preservation of your notes --  
9 A. Yes.  
10 Q. -- we explained to the Judge at the  
11 conclusion of the day on Wednesday, you and I had a  
12 meeting out in the hallway. And at that time did I  
13 ask you to preserve those notes?  
14 A. You -- well, the Judge asked me to  
15 preserve the notes. So I felt that. Yeah. I had  
16 to keep these notes and keep them as they were.  
17 Q. And have you altered those notes in any  
18 way during that period of time and today?  
19 A. No, I have not.  
20 Q Did you attempt to contact the county  
21 attorney's office or the sheriff's office the very  
22 next day?  
23 A. I did. I called. And then -- I called  
24 and rang and rang and rang and then turned into a  
25 busy signal. I realized it was Veterans Day and it

28

1 was probably closed.  
2 Q Did you make contact with Detective Diskin  
3 the following day, which would be Friday?  
4 A. Yes. I left a message for him to come and  
5 get the notes.  
6 Q. Did you and he subsequently have a date  
7 and time when he was going to meet you to get the  
8 notes?  
9 A. Yeah. He was -- it turned out that he was  
10 going to come on Sunday at 3:00 o'clock, but  
11 previous to that there was a time and date, but he  
12 was -- he couldn't make it.  
13 Q. In fact, he had an earlier date and he to  
14 cancel due to being called out on another scene?  
15 A. Yes. We had a date to meet, and he  
16 couldn't make it.  
17 Q. Mr. Kelly covered with you some of the  
18 similarities between 2008 and 2009. And is it your  
19 testimony that on -- or prior to both sweat lodge  
20 events participants were told to hydrate?  
21 A. Yes.  
22 Q And prior to the ceremony in 2008 as well  
23 as 2009, did participants get breakfast between the  
24 Vision Quest and the sweat lodge ceremony?  
25 A. Yes, they did.

29

1 Q And for both sweat lodge ceremonies that  
2 you participated in in 2008 and 2009, were  
3 participants free to leave between rounds?  
4 A Yes, they were.  
5 Q And for both sweat lodge ceremonies, 2008  
6 and 2009, was water available to participants  
7 between the rounds?  
8 A Well, I know in 2008 it was. And I can  
9 only assume in 2009 it was because I wasn't out  
10 there.  
11 Q You made reference to someone named Megan  
12 Fredrickson Can you tell the Judge who she was or  
13 is  
14 A Megan Fredrickson is the -- James Ray's  
15 right-hand person. She was in charge of a lot of  
16 different aspects of the event.  
17 Q And then you also told the Court that, in  
18 your opinion, in 2009 the men had or displayed more  
19 testosterone than the previous year?  
20 A Correct.  
21 Q Would that apply to James Ray also?  
22 A Yes, it would.  
23 Q For 2009?  
24 A For 2009.  
25 Q And what do you mean by that?

30

1 A I mean they were more aggressive. They  
2 were more aggressive in their behavior.  
3 Q And does that comply to James Ray also?  
4 A Yes, it did.  
5 Q In what way was he more aggressive in 2009  
6 than 2008?  
7 A Well, at this moment, in 2009 I can't  
8 remember the lady's name, but she was kind of heavy  
9 set. And she stood up before the sweat lodge and  
10 asked if she needed to take her blood pressure  
11 medication.  
12 And instead of just telling her, well --  
13 you know -- whatever you think, he started being  
14 more aggressive with her and saying well, do you  
15 really need to take it? And he kept pressing her.  
16 And then he finally said, well -- you know -- if you  
17 have to, call your doctor.  
18 So it was much more aggressive back and  
19 forth about whether or not somebody should take  
20 medication before or during a sweat lodge.  
21 Q And then you were asked a question about  
22 Barbara Waters, who in 2008 is, according to your  
23 testimony, one of the people who was in distress in  
24 2008, is that correct?  
25 A Correct.

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1 Q In 2009 she was a Dream Team member?  
2 A Correct.  
3 Q Do you recall where she was in 2009 during  
4 the sweat lodge ceremony?  
5 A She was outside.  
6 Q Did she begin outside? Was that her place  
7 outside?  
8 A Her place was outside. Yes.  
9 Q So, in fact, she didn't participate inside  
10 the sweat lodge in 2009?  
11 A No, she did not.  
12 Q Are you familiar with the World Wealth  
13 Society?  
14 A Yes, I am.  
15 Q Was Barbara Waters a member of the World  
16 Wealth Society?  
17 A Yes, she was.  
18 Q Will you tell the Court what the World  
19 Wealth Society is.  
20 MR. KELLY: Objection. Relevance, beyond the  
21 scope.  
22 THE COURT: I believe it is, Ms. Polk.  
23 MS. POLK: Judge, it was Mr. Kelly who  
24 suggested that in 2009 Barbara Waters came back,  
25 that she came back after having a bad experience in

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1 2008. In fact, we've learned now that she never  
2 went instead the sweat lodge in 2009. But also I  
3 think it's relevant that she's part of this society  
4 and what the perks or benefits for membership of  
5 this society is constituted of.  
6 THE COURT: I'll hear some questions on that.  
7 Mr. Kelly, if you want to cross on this,  
8 you may.  
9 MR. KELLY: Thank you.  
10 Q BY MS POLK: Will you tell the Judge what  
11 the World Wealth Society is.  
12 A The World Wealth Society was a membership  
13 into James Ray's society that people could get  
14 closer to James Ray and participate. It was very  
15 expensive. It was an exclusive society of people  
16 because it was 50 -- I've heard numbers of 50 to  
17 \$70,000 to be a part of that society.  
18 Q Okay. Thank you.  
19 Thank you, Judge.  
20 THE COURT: Thank you Ms. Polk.  
21 Mr. Kelly, did you want to follow up on  
22 that point?  
23 MR. KELLY: I do have one question.  
24 ///  
25 ///



33

1 RE-CROSS-EXAMINATION

2 BY MR. KELLY:

3 Q Were you a member of the World Wealth  
4 Society?

5 A No, I was not.

6 Q Thank you

7 Nothing further

8 THE COURT: Thank you, sir, you may step down.

9 THE WITNESS: Thank you.

10 MS. POLK: I didn't hear. Did you excuse

11 Mr. Rock?

12 THE COURT: I did. I asked him to step down.

13 MS. POLK: May he be excused?

14 THE COURT: Counsel, Mr. Kelly, Mr. Rock may be  
15 excused?

16 MR. KELLY: Absolutely.

17 THE COURT: Yes, he may. Thank you.

18 (Whereupon, a portion of the hearing is oral  
19 argument and is not transcribed )

20 THE COURT: Ms. Polk?

21 MS. POLK: The state rests at this time.

22 THE COURT: Mr. Li?

23 MR. LI: Yes, Your Honor. We're going to call  
24 a witness. Before we do that, I just wanted to make  
25 sure we can take very small housekeeping matter.

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1 Looks like the procedure is going to go relatively  
2 quickly, which is great.

3 There are two additional motions on  
4 calendar related to financial condition and  
5 autopsy. We very much appreciate the state  
6 stipulating with us to admit Ms. Seifter to make the  
7 argument. And we'd like to maybe think about if we  
8 would do it after -- perhaps after lunch or  
9 something like that. I just want to give my  
10 co-counsel some notice as to when the time of that  
11 argument would be.

12 THE COURT: I have all day. And so however you  
13 want to present the argument or evidence today.  
14 Whatever you agree on, that's fine with me. I do  
15 have one extradition matter I need to deal with at  
16 1.30. But other than that however you want to  
17 present the information.

18 MR. LI: Great, Your Honor. Thank you.

19 Then, we'd call Caren Wendt.

20 THE COURT: Ma'am, if you'd step to the front  
21 of the courtroom and raise your right hand to be  
22 sworn by the clerk.

23 CAREN W. WENDT,

24 having been first duly sworn upon her oath to tell  
25 the truth, the whole truth, and nothing but the

35

1 truth, testified as follows:

2 THE COURT: Please be seated here at the  
3 witness stand. And would you please begin by  
4 stating and spelling your full name.

5 THE WITNESS: My name is Caren Wallace Wendt.  
6 And it's C-a-r-e-n, W-a-l-l-a-c-e, W-e-n-d-t.

7 THE COURT: Thank you.

8 Mr. Li?

9 MR. LI: Thank you, Your Honor.

10 DIRECT EXAMINATION

11 BY MR. LI:

12 Q. Ms. Wendt, good morning. Where are you  
13 from?

14 A. Austin, Texas.

15 Q. How long have you lived there?

16 A. Born and raised.

17 Q. Could you tell us a little bit about your  
18 education

19 A. I'm a graduate of the University of  
20 Texas. I have three degrees from there.

21 Q. What are those degrees in?

22 A. Business administration, psychology and  
23 education.

24 Q. Now, what do you do for a living?

25 A. I have a commercial janitorial company.

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1 MS. POLK: Excuse me, I can't hear the witness  
2 very well.

3 THE COURT: I didn't either.

4 THE WITNESS: Commercial janitorial company.

5 Q. BY MR. LI Approximately how many people  
6 do you employ?

7 A. About 185.

8 Q. And how long have you run this business?

9 A. I've run it for about 12 years now.

10 Q. How did you get involved in that business?

11 A. I was hired as a salesperson and to start  
12 helping run the company and built the company up,  
13 and I ended up buying the company from the owners.

14 Q. Now, are you involved in any other  
15 business ventures?

16 A. Yes, sir. I have a business with an  
17 environmental product called "Green Switch."

18 Q. What does Green Switch do?

19 A. It eliminates all the wasted energy in our  
20 homes and businesses and hotels -- the energy that  
21 we're consuming that we don't mean to.

22 Q. And is this those little switches that can  
23 turn off all the lights in the house right at the  
24 front door?

25 A. Yes, sir. Phantom power, unattended

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1 power, your heating and air conditioning.  
2 Q And your clients are typically what?  
3 A Hotels, individuals, businesses.  
4 Q Now, you first met Ms Do and I yesterday,  
5 correct?  
6 A Correct.  
7 Q In Phoenix?  
8 A Yes.  
9 Q And we first spoke by telephone, I  
10 believe, Friday, November 12 this year?  
11 A Thursday or Friday.  
12 Q Thursday or Friday Had we ever spoken  
13 before?  
14 A No, sir.  
15 Q Now, had you had an opportunity to speak  
16 with the detectives from the Yavapai County  
17 Sheriff's Office?  
18 A Yes, sir.  
19 Q And do you recall an individual, a  
20 detective, named Detective Mike Polling?  
21 A I remember he was a gentleman. I don't  
22 exactly remember his name.  
23 Q Do you remember approximately when you  
24 were interviewed?  
25 A Long time ago -- you know. Right after

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1 the 2010 sweat lodge.  
2 Q Was it about a year ago?  
3 A Somewhere around a year. Yes.  
4 Q. And you told him everything you knew about  
5 your experiences at the 2008 Spiritual Warrior?  
6 A Yes, sir.  
7 Q Did he ask a lot of questions?  
8 A Yes, sir.  
9 Q Did you try to answer them to the best of  
10 your ability?  
11 A Yes, sir.  
12 Q Did you conceal anything from him?  
13 A No, sir.  
14 Q. Now, recently, more recently, were you  
15 contacted by anyone from the Yavapai County  
16 Attorney's Office?  
17 A Yes, sir.  
18 Q Do you recall the person's name? Man or  
19 woman?  
20 A It was a woman.  
21 Q. Do you have any recollection as to what  
22 the person's name might have been?  
23 A I think it was Ms. Polk, but I just  
24 remember it was a woman for sure.  
25 Q. Were you told that you might -- you were

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1 being contacted as a witness in this case?  
2 A She talked to me. She asked me some  
3 questions, wanted to see if I had information that  
4 could help with the case.  
5 Q. I'm not going to go through the whole  
6 conversation, but was the sum and total of it that  
7 your experiences were pretty good?  
8 A Yes.  
9 Q. Did that person from the county attorney's  
10 office tell you whether or not you would be a good  
11 witness?  
12 A Yes, sir. She said that I wouldn't be a  
13 good witness for them.  
14 Q. And did you receive a subpoena from the  
15 county attorney's office?  
16 A No, sir.  
17 Q For this hearing?  
18 A No, sir.  
19 Q. For a trial?  
20 A No, sir.  
21 Q Now, do you know an individual named James  
22 Ray?  
23 A Yes, sir.  
24 Q. And have you attended some of his  
25 seminars?

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1 A Yes, sir.  
2 Q Have you attended his various courses?  
3 A All of his courses.  
4 Q. And if you could talk to us about what  
5 you're getting out of these courses What is the  
6 purpose? Why are you attending these courses?  
7 A I am always looking to be better, learn  
8 more, accomplish more.  
9 Q Has he helped you at all in accomplishing  
10 any of that?  
11 A Yes, sir.  
12 Q. How?  
13 A He's introduced me to a lot of materials,  
14 a lot of different ways of thinking, a lot of books,  
15 started me on reading, made me think more.  
16 Q You had a little bit of a sort of look on  
17 your face when you said reading What was that?  
18 A I'm not much of a reader.  
19 Q You're not much of a reader?  
20 A No, sir.  
21 Q He has gotten you to start reading books?  
22 A Yes, sir.  
23 Q. What kind of books?  
24 A All different kinds of books. Self-help  
25 books, the bible, all different kinds of books.

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1 Just many, many different authors and different  
2 books.  
3 Q When we had talked, I think, a couple of  
4 days ago, you had mentioned something about a  
5 self-defeating voice Could you explain to us what  
6 that is and whether Mr Ray has any -- had any  
7 impact on this self-defeating voice?  
8 MS. POLK: Your Honor, first of all, I can't  
9 hear Mr. Li's question, so could he repeat it.  
10 THE COURT: Self-defeating voice?  
11 THE WITNESS: Self-defeating voice.  
12 THE COURT: Is that what you weren't hearing?  
13 MS. POLK: Yes. Thank you.  
14 THE WITNESS: What I've realized is I have a  
15 lot of negative self-talk going on in my head. Or  
16 when I get into a situation, my thoughts and the  
17 talking to myself is always negative. I can't do  
18 this. I can't do that or I don't know enough to do  
19 that. I didn't realize how much negativity I was  
20 telling myself.  
21 And -- you know -- it just took somebody  
22 pointing out -- you know -- let's write down what  
23 you think and read over what you're thinking and  
24 then you see and in your own handwriting, whoa. You  
25 know. Look at what I'm thinking. So --

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1 Q. And you try to overcome what you're  
2 thinking?  
3 A. Absolutely. When I realized -- and  
4 realizing is the biggest part of change. When I  
5 realized what I'm doing, then it takes a conscious  
6 effort to change the way I talk, change the way I  
7 think and put it in a more positive and enhancing  
8 method.  
9 Q And were you having these negative  
10 thoughts even though you were successfully running a  
11 company of 185-some-odds folks?  
12 A. Yes, sir.  
13 Q Are you more confident now?  
14 A. Yes, sir.  
15 Q Let me ask you You had also talked about  
16 giving back to the community when we had chatted  
17 earlier Do you recall that?  
18 A. Yes, sir.  
19 Q If could you please describe for us what  
20 you meant by that Have you been giving back to the  
21 community, and in what ways?  
22 MS. POLK: Excuse me for interrupting. The  
23 state's been provided with no statement. Mr. Li  
24 keeps referring to an earlier conversation. And I  
25 would just request that we be provided a copy of

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1 this statement.  
2 MR. LI: How about this: I'll just ask the  
3 question differently, and I will simply -- I'm just  
4 trying to put her in a place where she might recall  
5 a specific instance.  
6 THE COURT: Is there a statement?  
7 MR. LI: We don't have a statement. We talked  
8 to her on the phone Friday. The state --  
9 actually -- strike that, Your Honor.  
10 The state has a statement. It's a  
11 recorded statement. And it's one that the state is  
12 submitting to you.  
13 THE COURT: Okay. Well, you said you were  
14 going to withdraw that question.  
15 MR. LI: I'll withdraw it as phrased.  
16 THE COURT: I'll sustain the objection to that  
17 question, and we'll just go with the questions  
18 asked.  
19 Ms. Polk?  
20 MS. POLK: Your Honor, that's fine. And I was  
21 just -- the state -- there was an interview by  
22 Detective Diskin that Mr. Li has referred to. And  
23 that was -- I'm sorry. Detective Polling. And that  
24 was disclosed by the state to the defense -- by the  
25 state to the defense a long time ago.

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1 But Mr. Li is referring now to  
2 conversations that occurred last Thursday or Friday  
3 as well as a meeting on Monday. And that's -- the  
4 state has been provided no disclosure regarding  
5 either of those two meetings.  
6 MR. LI: Your Honor, if we could deal with this  
7 outside the presence of the witness. We'll finish  
8 off the testimony.  
9 THE COURT: Yes. You may ask your next  
10 question.  
11 MR. LI: Thank you, Your Honor.  
12 Q. Are you involved in the community, in your  
13 community?  
14 A. Yes, sir.  
15 Q In what ways?  
16 A. I participate. I feed the homeless. I  
17 become real active in recycling and eliminating some  
18 of the waste in my life. I donate to different  
19 charities. I clean with my janitorial company some  
20 nonprofit organizations at a substantially reduced  
21 price just to help them out.  
22 Q. How about your church?  
23 A. Yes. I clean my church and I give to my  
24 church.  
25 Q What church do you belong to?

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- 1 A. Saint Andrews Presbyterian.
- 2 Q Is that a sort of new age church or just a
- 3 Presbyterian church?
- 4 A. It's not a new-age church, but our
- 5 minister has very open and progressive ideas, I
- 6 guess.
- 7 Q Has Mr Ray had any impact on your
- 8 involvement in the community?
- 9 A. Yes, sir.
- 10 Q In what ways?
- 11 A. He challenge us to give back more, to make
- 12 a difference, to be grateful for what we have and
- 13 look for ways that we can enhance our community by
- 14 giving back. Put it forth as a challenge.
- 15 Q. Is it a macho challenge?
- 16 A. Oh, no.
- 17 Q. Now, ma'am, do you quote, unquote, "follow
- 18 James Ray"?
- 19 A. No. I do not believe I follow James Ray.
- 20 Q Tell us what you mean by that.
- 21 A. I believe that I study with James Ray. I
- 22 believe that -- you know -- I look at him kind of
- 23 like a teacher or a coach. I do not believe that I
- 24 follow him.
- 25 Q Does he tell you to obey his every word?

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- 1 A. No, sir. Actually, he says repeatedly
- 2 don't take what I say as gospel. I don't know if
- 3 those are his words. But don't take what I say
- 4 as -- you know -- gospel. Just go out and do your
- 5 own research. I'm not telling you anything new.
- 6 I'm just presenting it in a different way. And he
- 7 gives a list of all the people that he gets his
- 8 information from. Those are a lot of books that we
- 9 read.
- 10 Q Does he tell you to challenge what he
- 11 says?
- 12 A. Oh, yes. He says to go do your own
- 13 research. Bring him new books and ideas and -- you
- 14 know -- think -- look for yourself. And he says to
- 15 do that with everybody in your life, not just him.
- 16 You know -- to stop and think and explore your own
- 17 options.
- 18 Q Does he tell you whether you should listen
- 19 to everything or accept every single thing he says?
- 20 A. I'm not really sure I understand that.
- 21 Q Yes Let me rephrase that Has he ever
- 22 said to you take what you want Leave the rest?
- 23 A. Yes, I guess.
- 24 Q Have there ever been physical challenges
- 25 in any of these seminars that you participated in

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- 1 that Mr Ray has suggested that you've turned down?
- 2 A. Yes, sir.
- 3 Q Can you give me an example
- 4 A. I -- in Tahoe we did an obstacle course,
- 5 and I didn't cross a tightrope. I didn't climb a
- 6 mountain. There is several things.
- 7 Q You didn't climb a mountain? You didn't
- 8 do the end of an obstacle course?
- 9 A. I know there is a couple more. I can't
- 10 think right now off the top of my head.
- 11 Q. In those various incidents where you
- 12 declined a physical challenge, did he yell at you?
- 13 A. No, sir.
- 14 Q. Did he attempt to belittle you for not
- 15 doing those challenges?
- 16 A. No, sir. I mean, he always wants to know
- 17 what's behind -- especially the mountain -- what's
- 18 behind you not doing it. Are you just afraid or
- 19 what? What's coming up for you?
- 20 Q. And once you identify what's coming up for
- 21 you when you decline to do these challenges, does he
- 22 mock those?
- 23 A. He's never mocked me.
- 24 Q. Does he mock other people?
- 25 A. I don't know if he mocks. He pushes.

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- 1 Q Does he challenge them?
- 2 A. Absolutely.
- 3 Q. Now, if we could focus for a second on the
- 4 Spiritual Warrior retreat in 2008. It was a
- 5 five-day retreat?
- 6 A. Yes, sir.
- 7 Q Now, when you went to the Spiritual
- 8 Warrior event, how were you feeling at the time you
- 9 went?
- 10 A. I was sick.
- 11 Q. Did you have some sort of --
- 12 A. Upper respiratory. I wasn't feeling well.
- 13 Q. Sorry. An upper respiratory?
- 14 A. Yes. I wasn't feeling well.
- 15 Q Did you talk to your doctor about it?
- 16 A. Yes, sir.
- 17 Q. What did he say?
- 18 A. He didn't want me to go.
- 19 Q Did you go?
- 20 A. Yes, sir.
- 21 Q Now, there are lot of events. I'm not
- 22 going to ask you to recount all of them. But if
- 23 could you, essentially, describe in general what the
- 24 five-day Spiritual Warrior event was about
- 25 A. To me the Spiritual Warrior event was

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1 about going inside yourself, really going inside and  
2 taking a hard look at -- you know -- your past, your  
3 present, what you're going through, what you're  
4 struggles are, what your inner thoughts are.

5 Q And confronting them?

6 A. Identifying them. I don't really know if  
7 confronting is the right word. But kind of just  
8 becoming aware, having some "a-ha" moments, maybe  
9 confronting, working through them.

10 Q There was an event at the beginning where  
11 folks shave their hair?

12 A. Yes, sir.

13 Q. Did you participate in that?

14 A. Yes, sir.

15 Q Could you please describe that to us.

16 A. It was on the first day when we got  
17 there. And I thought it was going to be pretty easy  
18 for me to do because I had short hair. So I was one  
19 of the first ones or second ones to get up and get  
20 it over with.

21 And I realized -- what he told us that we  
22 were doing is we were preparing for an inward  
23 journey. I don't know if those are his words or my  
24 words. But -- you know -- we were -- what a better  
25 way to prepare for going inwards than to get rid of

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1 our out.

2 And I thought it would be something really  
3 easy, no big deal. But I realized I did have a lot  
4 of dependency on my hair, my makeup, those kinds of  
5 things. Because it was a big challenge for me to  
6 shave my head.

7 Q Did you feel like you were preparing for  
8 war?

9 A. No. I never felt like I was preparing for  
10 war.

11 Q You've got a son, don't you?

12 A. Yes, sir.

13 Q What does he do for a living?

14 A. He's in the military.

15 Q What branch?

16 A. He's in the air force.

17 Q. Now, once you shaved your hair and dealt  
18 with the fact that it was more difficult than you  
19 thought it would be, what did you think about it?  
20 What result?

21 A. Well, the most -- the major result came  
22 when I got home after the retreat through all the  
23 processes that I had gone through. Because I  
24 realized that anything that I wanted to convey had  
25 to come from inside of me. If I wanted to feel

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1 happy or pretty or any of those things, that had to  
2 come from inside me. It couldn't come from my hair  
3 or the way I looked because my hair was gone.

4 It was very empowering for me actually.

5 It really was. I've had some friends who had done  
6 it before and --

7 Q For what purpose?

8 A. The Cancer Society in Austin does it.

9 And -- well, they do it mainly to show women that  
10 they're more than their hair, they're more than  
11 their breasts. Whatever is presented, you're deeper  
12 than that. And I had a friend whose sister did it.  
13 Until you shave your own head, you didn't really get  
14 that. I didn't personally.

15 Q. Who were your -- I'm going to now move  
16 over to your lodging and where you were staying.  
17 You stayed in a tipi?

18 A. Yes, sir.

19 Q. Who were your tipi mates?

20 A. Rinette and Rose.

21 Q Is it Rosie Venezuela?

22 A. Something like that.

23 Q Rinette Christiansen?

24 A. Yes, sir.

25 Q. Do you remember if there was a doctor

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1 participating in that event?

2 A. I don't know.

3 Q. I'm going to focus you for a second on an  
4 event known as the Samurai Game or the -- are you  
5 familiar with the term "the Samurai Game"?

6 A. Yes, sir.

7 Q. Okay Could you please describe -- did  
8 you participate in something called "the Samurai  
9 Game"?

10 A. Yes, sir.

11 Q. Could you please describe it to us.

12 A. James was presented as God, and we were  
13 both on different --

14 MS. POLK: Your Honor, I have a hard time  
15 hearing the witness.

16 THE COURT: Ma'am, if you could talk into the  
17 mic.

18 THE WITNESS: Yes, sir. James was presented as  
19 God, and we had -- we were on opposing teams. We  
20 each had a captain.

21 Q BY MR LI: I'm going to stop you right  
22 there James was presented as God Did you guys  
23 think he was God?

24 A. No, sir.

25 Q Was he presenting himself as a God?

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1 A. No. He was just -- not to me. He was  
2 overseeing the game, and that was one of the  
3 characters of the game. It really wasn't a game.  
4 It was an exercise.  
5 Q Did he tell you where this exercise had  
6 come from?  
7 A. He said it had come from AT&T from one of  
8 his leadership conferences.  
9 Q AT&T Sorry Leadership conferences  
10 Was it a religious exercise?  
11 A. No, sir.  
12 Q What was the purpose of the exercise?  
13 A. Team building, being aware of what we do  
14 when we're not aware that we're doing it. I don't  
15 know if that makes any sense but --  
16 Q When nobody is looking?  
17 A. Yeah. Don't talk, and then how many times  
18 do we really talk when we don't know that we're  
19 talking. I don't know if that makes sense.  
20 Q So if there was a rule that you can't  
21 talk, the purpose was to show that you actually end  
22 up talking a lot?  
23 A. Well -- and what happens if you do, do you  
24 not come forward and say I talked? Or do you hide  
25 it and go on?

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1 Q Integrity?  
2 A. Yes.  
3 Q. Now, this whole exercise with the samurai  
4 and the samurai clips, all of that, what did you  
5 think of it? Did you think it was --  
6 A. I thought it was pretty silly and stupid.  
7 I mean, I got a lot -- I didn't get a lot out of it,  
8 but I understood one of the girls in our group  
9 talked, and she was a pretty important player on our  
10 group. And -- you know -- part of us were kind of  
11 like, well, nobody heard but us. Don't say  
12 anything. Because she was our most valuable  
13 player. But we all came up with a team as a team  
14 and said no -- you know -- we've got to -- we broke  
15 the rules. We've got to tell.  
16 Q Did others in your -- on your team share  
17 your opinion that it was silly?  
18 A. Oh, yeah. I think so. We kind of rolled  
19 our eyes and that kind of thing.  
20 Q Did anyone in your group confuse James Ray  
21 for God?  
22 A. No, sir.  
23 Q Now, just -- there are teams in this  
24 exercise, right?  
25 A. Yes, sir.

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1 Q And you said there were competitions and  
2 what have you?  
3 A. Yes, sir.  
4 Q What were the nature of those  
5 competitions?  
6 A. In the end I think one of them was  
7 carrying an egg across the line, holding your  
8 breath. I can't remember. I remember those right  
9 off. I don't remember the other ones.  
10 Q. So holding an egg?  
11 A. Walking across the line with the egg. The  
12 one who drops first. I think we spun around with  
13 our head on a bat. I think that is one of them.  
14 Q. And that was pretty silly?  
15 A. Yes. I felt pretty silly.  
16 Q. Now, if you lost the  
17 head-spinning-around-a-bat game, would you then be  
18 eliminated from the game?  
19 A. Yes. You died.  
20 Q. You quote, unquote, "died"?  
21 A. Yes.  
22 Q Did anybody actually think that this was  
23 talking about real death?  
24 A. No, sir.  
25 Q I'm going to move on to an event known as

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1 the Vision Quest. Are you familiar with that?  
2 A. Yes, sir.  
3 Q. Did you participate in the Vision Quest in  
4 2008?  
5 A. Yes, sir.  
6 Q Could you please describe for us what you  
7 did and how you perceived it.  
8 A. We were taken out -- I was so nervous.  
9 I'm a city girl. I was very nervous. But we were  
10 taken out at night and dropped off at a  
11 predetermined location by ourselves. And we were  
12 given a list of things that we had to take. I can't  
13 remember the whole list now. Sleeping bags and  
14 warm. We didn't have any food or water. Whole list  
15 of things. And then we were left there for a couple  
16 of days or however long it was. And we were -- we  
17 did a lot of journaling. I remember a lot of  
18 journaling.  
19 Q I'm going to stop you there. Journaling.  
20 What does that mean?  
21 A. Writing down your thoughts, what's in your  
22 head, which I don't like to do that either. I just  
23 wrote pages and pages and pages and pages of stuff.  
24 So things that are coming to your mind, what you're  
25 thinking about, just anything that comes into your

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1 head.

2 Q So you're out there You're journaling.

3 What happens?

4 A I slept better than I've ever slept. I

5 loved every minute of it, which really surprised

6 me. I was quiet and still. I live a very busy

7 life. And I didn't have a cell phone or a computer

8 or any distractions. And I just was still, and it

9 was a huge change for me. I really, really could

10 have stayed longer. I really liked it. It was so

11 new to me.

12 Q Did you come to any realizations about

13 your life while were you sitting out there writing?

14 A Yes. I did.

15 Q And without going deep into the detail, if

16 you could just generally describe what you got out

17 of it

18 A I have a lot of masculine energy I guess.

19 People are always saying gosh. You're more male

20 than female. And I guess they think that's a

21 compliment or something. But I guess what came up

22 for me is that kept coming up for me. And I was,

23 like, wait a minute. I don't understand.

24 I realized when I was out, I have some

25 things with my mother and my grandmother, always

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1 taking care of my mother and my grandfather and that

2 kind of thing. I realized that -- this is kind of

3 silly, but I realized that a lot of my role models

4 and a lot of the things I had about women came from

5 some TV shows that just kept coming into my mind --

6 Archie Bunker and Bewitched. Sounds so silly.

7 But when I was a little girl, this is what

8 I did is I watched these shows and -- well, that

9 came up for me. If you want to look at the real

10 heroines in my life, it is my mother and my

11 102-year-old grandmother who took care of

12 everything. It was really powerful for me. It was

13 really, really powerful.

14 Q Now, before you went out on your Vision

15 Quest, did James Ray or members of his staff talk

16 about the importance of keeping hydrated?

17 A Yes, sir.

18 Q Once or twice or all the time?

19 A All the time. Even before. Even before

20 the event -- you know -- hydration. The first day

21 that we got there we got a water bottle. We got a

22 backpack and a water bottle and some salt. And he

23 instructed us to use salt because hydration is

24 really important and we're going to need it

25 towards -- at the end of the week. And hydration

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1 comes from the days beforehand, not the day of.

2 And -- you know -- every time we took a break, he

3 would call it a -- you know -- go get you some

4 water. I was nervous.

5 Q I'm going to take you to right after the

6 Vision Quest was finished Did some folks come and

7 get you?

8 A Uh-huh.

9 Q And what happened next?

10 A We went and we ate. I don't remember how

11 long or anything. But we went and ate. And then we

12 were told to get ready for the next event. And that

13 was the sweat lodge. I think that's right.

14 Q I think you said you ate. Were you

15 encouraged to drink as well?

16 A Oh, yes.

17 Q. Now, the sweat lodge. Had you been told

18 about the sweat lodge before?

19 A No, sir.

20 Q. Were you surprised?

21 A Yes, sir.

22 Q Had you ever been in a sweat lodge?

23 A No, sir.

24 Q What did Mr. Ray tell you about what you

25 could experience in the sweat lodge? What was the

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1 sweat lodge going to be like?

2 A He told us that -- he told us that it was

3 really dark and that it was really hot and that when

4 we went in, we needed to go from the left to the

5 right and to make sure that if we left that we still

6 went left to right and only leave between the two --

7 between the rounds. There were hot rocks in the

8 middle. He told us that he had -- I can't remember

9 the gentleman's name -- an Indian bless the sweat

10 lodge, that he didn't make it but he did bless it --

11 you know -- to make it more special.

12 Q Now, when you said that you were supposed

13 to leave in a certain direction and that there were

14 hot rocks, was it to avoid the rocks?

15 A He told us that for everybody's safety to

16 go around. Crawl. Don't stand up. There was hot

17 rocks in the middle and it was dark, so yeah. So we

18 didn't hurt ourselves or other people to make sure

19 we did that. Plus it's going left to right is part

20 of the ceremony part of it.

21 Q And then about leaving between the

22 rounds What was the purpose behind -- did he

23 explain why it was important to leave between

24 rounds?

25 A The same reasons. Not to disrupt the

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1 round or the process for everybody. And it was dark  
2 and you couldn't see. The round is over, the flap  
3 is up. If you're going to leave, leave then and  
4 left to right.

5 Q. As he was describing to you how to leave  
6 and those sorts of things, did he say don't leave?

7 A. No, sir.

8 Q. Did he say it was going to be really hot?  
9 Yes, sir.

10 Q. Did he engage in sort of hyperbole about  
11 how all --

12 MS. POLK: Your Honor, I'm going to object to  
13 this leading line of questioning.

14 THE COURT: Sustained.

15 MR. LI: Let me rephrase it.

16 Q. How did he describe how hot it was going  
17 to be? What did he say?

18 A. He said you're going to feel like you were  
19 dying.

20 Q. Did you think he was actually talking  
21 about dying, physically dying?

22 A. No. I don't think so.

23 Q. Did you think that you could leave or not  
24 leave?

25 A. I thought I can leave.

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1 Q. Did you think you could participate or  
2 decline to participate?

3 MS. POLK: Again, I would object to the leading  
4 line of questions.

5 THE COURT: Sustained.

6 Q. BY MR. LI: Did you think you could choose  
7 whether to participate?

8 MS. POLK: Same objection.

9 THE COURT: Sustained.

10 Q. BY MR. LI: What did you think about  
11 whether you should participate or could participate  
12 in it?

13 A. In all the events I felt like it was my  
14 choice.

15 Q. Let me focus for a second on the sweat  
16 lodge itself. Was it hot?

17 A. Yes.

18 Q. Now, during the course of the sweat lodge,  
19 at any point did you leave?

20 A. Yes, I did.

21 Q. Do you recall approximately when?

22 A. I believe it was after the third round.

23 Q. Did anyone else leave?

24 A. Well, lots of people left all different  
25 rounds. And one lady actually left during one

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1 round.

2 Q. Was Mr. Ray abusive to any of the people  
3 who were leaving?

4 A. He wasn't abusive. I mean, he would tell  
5 us you are more than this. You can do this. You  
6 know -- you're more than this. That kind of thing.  
7 In a way it was just like my son's football coach.  
8 He played football in high school and college. You  
9 can do it. You can do it. That kind of thing.

10 Q. Was there a pregnant lady who was part of  
11 the ceremony?

12 A. Yes.

13 Q. Do you remember her name?

14 A. I think it was Tori. Tari, Tori. She  
15 told --

16 Q. Go ahead.

17 A. She told -- before the sweat lodge she  
18 told James -- she said I just found out I'm  
19 pregnant. Should I do this? He said I can't tell  
20 you that. I have no idea. You know. I'm not a  
21 doctor. You know. I can't tell you that. That's  
22 something that you have to decide.

23 Q. During the sweat lodge ceremony did you  
24 have a chance to sit near her, or was she far away?

25 A. When I came back in, I sat right next to

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1 her and Christine Jobe.

2 Q. So I kind of skipped ahead, then. All  
3 right. You went out in round three. What did you  
4 do out there?

5 A. I sat down and got some water, I think,  
6 cooled off. And then I don't remember who it was.  
7 Somebody said let's hold space for the people  
8 inside. We kind of stood up and held hands outside  
9 the sweat lodge and just was quiet while the people  
10 were inside.

11 Q. Approximately how many people were with  
12 you as you were standing outside the sweat lodge  
13 holding hands?

14 A. 10 to 15.

15 Q. And were those folks able to stand?

16 A. A lot of us stood. I don't remember that  
17 exactly. We were standing. I don't know if all of  
18 us were or not.

19 Q. And were you able to stand?

20 A. Yes.

21 Q. Was it chaotic outside?

22 A. No, sir.

23 Q. Now, you had just said that you went back  
24 into the sweat lodge. Approximately when did you go  
25 back in?



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1 A. After that next round.  
 2 Q So this would be, say, round five?  
 3 A. Yeah. I mean yes, sir.  
 4 Q And who did you -- what did you do when  
 5 you went back in?  
 6 A. Well, also James had told us that it's  
 7 really hot. And it's hotter if you sit up -- you  
 8 know -- because heat rises. So the first time when  
 9 I went in I sat up. And it was, like, this is hot,  
 10 and I left. The second time when I went back in, I  
 11 laid down with my face on my hands.  
 12 Q. And this is when you were next to  
 13 Christine Jobe and the woman who was pregnant?  
 14 A. Yes, sir.  
 15 Q Okay How were they doing next to you?  
 16 A. I guess we were fine. We were talking to  
 17 each other, laughing and joking.  
 18 Q Was Christine unconscious at the time?  
 19 A. Christine Jobe?  
 20 Q. Yes  
 21 A. No, sir.  
 22 Q. Now, let's get to the end of the sweat  
 23 lodge ceremony. What happened then?  
 24 A. We all crawled out, and we went out and  
 25 sat outside. And they hosed us off with water and

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1 gave us water. And we went outside. And Chris and  
 2 I are good friends. Christine. She sat in the  
 3 mud. We all sat in the mud. And they put water on  
 4 us and everything. I don't like that part.  
 5 That was it. Cooled off, gave us water,  
 6 hose us off. And then that's about it. Oh. We  
 7 burned our tobacco pouches.  
 8 Q So when you left the sweat lodge, you  
 9 walked where approximately?  
 10 A. I came out the sweat lodge, and I went out  
 11 and sat kind of right out -- not right out but  
 12 straight out the sweat lodge door. And I sat with  
 13 Christine. And I sat there for a little bit. And  
 14 then I got up and went to a white tent area. I  
 15 didn't like being in the mud. I just didn't like  
 16 that. So I went and sat at the white tent area and  
 17 moved over there, talked to a few of my friends.  
 18 Q And you sat near Miss Jobe in the mud  
 19 How was she doing? Was she unconscious?  
 20 A. Christine? No, sir.  
 21 Q Were you talking to her?  
 22 A. Yes, sir.  
 23 Q Was she happy?  
 24 A. Yes, sir.  
 25 Q. Now, as you walked from the sweat lodge to

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1 the place where Miss Jobe was lying in the mud,  
 2 about how far was that, if you can --  
 3 A. Like, from me to you. Something like  
 4 that.  
 5 MR. LI: Let the record reflect my best  
 6 estimate to Detective Diskin is probably about 15  
 7 feet.  
 8 Q. And as you walked that 10 feet or so, were  
 9 you able to see around you?  
 10 A. Yes, sir.  
 11 Q. And when you sat down in the mud, were you  
 12 also able to see around you?  
 13 A. Yes, sir.  
 14 Q. And hear?  
 15 A. Yes, sir.  
 16 Q And then you walked to a tent?  
 17 A. Yes, sir.  
 18 Q. Approximately how far was that tent from  
 19 where Miss Jobe was sitting in the mud?  
 20 A. Maybe over to that bench over there.  
 21 Q Where that wall is?  
 22 A. Yes, sir.  
 23 MR. LI: So, Your Honor, estimate that to be  
 24 another 15, 10 feet, give or take.  
 25 THE WITNESS: I'm not good with distance. I'm

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1 sorry.  
 2 Q. BY MR. LI. Obviously neither am I. As  
 3 you walked from where Miss Jobe was sitting in the  
 4 mud and over to the tent, were you able to see  
 5 around you?  
 6 A. Yes, sir.  
 7 Q. Were you able to hear?  
 8 A. Yes, sir.  
 9 Q. And based on that, walking from the sweat  
 10 lodge to where Miss Jobe was sitting, did you see  
 11 people in medical distress?  
 12 A. I didn't notice anybody in medical  
 13 distress.  
 14 Q. And as you were sitting next to Miss Jobe,  
 15 who was lying in the mud -- first of all, was she in  
 16 medical distress?  
 17 A. No.  
 18 Q Was the person sitting next to her in  
 19 medical distress?  
 20 A. No, sir.  
 21 Q. Was anyone around you in medical distress?  
 22 A. No, sir.  
 23 Q. And as you walked from that location with  
 24 Miss Jobe and the other person lying in the mud over  
 25 to the tent, were there people in your way who were

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1 in medical distress?  
2 A. There were people laying there. I mean,  
3 no, sir. We were all laying there being hosed off  
4 and drinking water and --  
5 Q Did that look any different than your  
6 son's football practices?  
7 A. Well, they don't lay in the mud, but no.  
8 I mean, they're hot and sweaty and getting water. I  
9 mean, no.  
10 MR. LI: Your Honor, if I can grab some  
11 photographs.  
12 THE COURT: Okay.  
13 MR. LI: These are exhibits 23 through 70  
14 already previously admitted, actually except for 38  
15 and 40 and 43 and 44. And at this time we'd move to  
16 admit them. I think they're just photographs  
17 that --  
18 MS. POLK: Could you tell me the numbers of the  
19 exhibits you're moving?  
20 MR. LI: Sure.  
21 MS. POLK: Are you asking me whether I object?  
22 THE COURT: I have 38, 39, 40, 43 and 44 have  
23 not been admitted. And you just asked for all but  
24 40 to be admitted.  
25 MR. LI: I'm sorry. 38 through 40 and 43

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1 through 44.  
2 THE COURT: Any objection to that?  
3 MS. POLK: May I see them?  
4 MR. LI: Of course. They're all in there.  
5 MS. POLK: Your Honor, I have no objection.  
6 Thank you.  
7 MR. LI: Thank you, Counsel.  
8 THE COURT: Then those exhibits are admitted.  
9 38, 39, 40, 43 and 44.  
10 (Exhibits 38, 39, 40, 43 and 44 admitted.)  
11 MR. LI: Thank you, Your Honor. If I may I  
12 approach the witness?  
13 THE COURT: Yes.  
14 Q BY MR LI I'm going to ask you to look  
15 at just all of these. And look up when you're  
16 done. Because I'll put them on a display device  
17 Thank you, ma'am Have you had a chance  
18 to review all of the photographs?  
19 A. Yes, sir. I looked through them.  
20 Q Thank you. Do they accurately depict what  
21 you saw at the Spiritual Warrior sweat lodge in  
22 2008?  
23 A. Yes, sir.  
24 Q Now, I have used a term I probably should  
25 define a little I used the term "medical distress"

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1 earlier when I was describing -- asking whether you  
2 saw folks in medical distress. Let me put a finer  
3 point on it Did you see people throwing up?  
4 A. No, sir, I didn't.  
5 Q Did you see people in convulsions?  
6 A. No, sir.  
7 Q Did you see people hallucinating?  
8 A. No, sir.  
9 Q Did you see people crying?  
10 A. Yes, sir.  
11 Q. Now, were they crying out of pain?  
12 MS. POLK: Objection to foundation.  
13 THE COURT: Sustained.  
14 Q. BY MR. LI: Let me ask you. Did you cry  
15 at any point during the Spiritual Warrior exercise?  
16 A. Yes, sir.  
17 Q And why did you cry?  
18 A. There is a lot of emotion going on, a lot  
19 of stuff coming up. There was a lot of tears of  
20 happiness for me, for me.  
21 Q. And after the 2008 sweat lodge, did you  
22 hear people crying out in pain?  
23 MS. POLK: Objection to foundation.  
24 THE COURT: Overruled. You may --  
25 THE WITNESS: I don't really understand.

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1 Q BY MR LI: Did you hear people crying out  
2 in pain, screaming?  
3 A. You mean right after the sweat lodge?  
4 Q. Yes  
5 A. No, sir.  
6 Q I'm going to show you some of these  
7 photographs And if you could take a look at them  
8 and point out if you recognize some folks. And  
9 we'll just go through this. This is Exhibit 23 for  
10 the record.  
11 A. Can I look here?  
12 Q Yeah. You can actually -- I think if you  
13 push on that, it makes a little mark.  
14 A. What do you want me to do?  
15 Q If you can identify, first of all,  
16 where -- when you say you sat next to Christine  
17 Jobe, where that was.  
18 A. It was here.  
19 Q That's good That's how it's supposed to  
20 work. Now, is that Christine Jobe lying on the  
21 ground there?  
22 A. I think that one is.  
23 Q And is that approximately where you sat  
24 for a little bit?  
25 A. Yeah. I think I was, like, kind of on

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1 this side of Christine, not on the other side. Then  
 2 I went over to the white tent over in there. They  
 3 had towels and things down there. I don't like  
 4 being in the mud.  
 5 Q I'm going to put in front of you  
 6 Exhibit 24 I don't know how to make that thing go  
 7 away. There you go  
 8 Do you recognize any of these folks?  
 9 A. Yes, sir.  
 10 Q Who do you recognize?  
 11 A. That's Wendy.  
 12 Q Wendy Do you remember her last name?  
 13 A. Benkowski or something like that.  
 14 Q Did you have a chance to talk to her  
 15 during this event?  
 16 A. Yes.  
 17 Q How was she doing?  
 18 A. Fine.  
 19 Q I'm going to put on the display  
 20 Exhibit 25 Do you recognize any of these folks?  
 21 A. That's Julia and that's still Christine.  
 22 Q Okay  
 23 A. I think that's Christine. Looks like her  
 24 bathing suit.  
 25 Q. I'm going to set Christine aside for a

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1 second Julia Did you have a chance to talk to  
 2 her during this event?  
 3 A. The sweat lodge or the entire week?  
 4 Q. The sweat lodge.  
 5 A. I can't remember.  
 6 Q Did she ever complain to you about the  
 7 sweat lodge?  
 8 A. Not that -- no.  
 9 Q I'm going to put on the display  
 10 Exhibit 26. Do you recognize any of these folks?  
 11 A. That one is Winnie and Joe. His last name  
 12 starts with an "F." Foddy or something like that.  
 13 Q. Okay  
 14 A. And then Wendy is still over there.  
 15 Christine.  
 16 Q Were they throwing up or in convulsions?  
 17 A. Any of those people?  
 18 Q The two people you identified  
 19 A. No.  
 20 Q I'm going to put on the display  
 21 Exhibit 27 Do you recognize these folks?  
 22 A. Those two ladies?  
 23 Q Yes  
 24 A. No. I mean, I recognize them, but I don't  
 25 really know them. Janine is in the background.

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1 Q I'm going to put on the display -- I'm  
 2 going to try to move through some of these 32 Do  
 3 you recognize this woman?  
 4 A. That's Susan McCuen.  
 5 Q. Was she -- did you have a chance to chat  
 6 with her about the 2008 sweat lodge experience?  
 7 A. Well, yeah. We all talked about it at the  
 8 closing ceremonies and stuff. I don't remember who  
 9 I talked to right after except a few of them --  
 10 Christine and Wendy, Rinette.  
 11 Q Did she say that she had experienced  
 12 something negative?  
 13 A. No, sir.  
 14 Q This is Exhibit 33 First of all, do you  
 15 recognize the woman who is lying down here?  
 16 A. I think that's Barb.  
 17 Q. Barb Waters?  
 18 A. Yes, sir.  
 19 Q. Have you had a chance to talk with her  
 20 about the sweat lodge experience?  
 21 A. Yes, sir.  
 22 Q. After the sweat lodge?  
 23 A. Yes, sir.  
 24 Q In 2008?  
 25 A. Yes, sir.

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1 Q. And what did she say about it?  
 2 MS. POLK: Objection, Judge, to the foundation.  
 3 MR. LI: We just established talking.  
 4 THE COURT: You said after some time frame,  
 5 Mr. Li.  
 6 MR. LI: I apologize.  
 7 Q. Let's say during the Spiritual Warrior  
 8 exercise -- during the Spiritual Warrior retreat  
 9 after the exercise did you have a chance to talk to  
 10 Barbara Waters?  
 11 A. I talked to Barbara when it was  
 12 concluded.  
 13 Q. And what did she have to say about it?  
 14 A. Well, she didn't go to dinner, and she  
 15 slept the whole day. And she said that they had to  
 16 carry her out. But -- you know -- that's kind of  
 17 it.  
 18 Q Did she say she had had a terrible  
 19 experience?  
 20 A. Oh, no. We've talked many times over the  
 21 past years. I guess it has been years now. No.  
 22 None of us had a bad experience of my group.  
 23 Q Now I'm going to point you to another  
 24 woman here Do you recognize her?  
 25 A. Which one?

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1 Q Sorry This woman here  
2 A Carly.  
3 Q Carly?  
4 A Carly Shankman.  
5 Q And did she -- was she vomiting or --  
6 A I didn't see her vomiting. I didn't see  
7 her. No.  
8 Q I'm going to ask you to look at -- I'm  
9 placing on the projector Exhibit 38 Do you  
10 recognize anyone in this Exhibit 38?  
11 A Janine and Aaron.  
12 Q Which one is Aaron?  
13 A That one.  
14 Q And do you know who this person is?  
15 A That's Janine Wright.  
16 Q Janine Wright?  
17 A I think Wright's her last name.  
18 Q Okay I'm going to put on the display  
19 Exhibit 40 Do you recognize anyone in this one?  
20 A That's Hermia. I can't see anyone else.  
21 Q There are other pictures I'll move on  
22 I'm going to -- I'm putting on the projector  
23 Exhibit 41 The two folks who are lying down there  
24 in the mud -- do you recognize them?  
25 A It's Christine.

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1 Q If you could put a little --  
2 A Christine.  
3 Q. Do you know who the other person is?  
4 A I don't recognize her at all.  
5 Q Is this location that you were sitting  
6 close to?  
7 A Yes.  
8 Q Could you shows us approximately where you  
9 were sitting, if you recall.  
10 A Over in here.  
11 Q Right by where the hose is?  
12 A Yeah In the mud.  
13 Q I'm going to put on the display  
14 Exhibit 42 Do you recognize this person?  
15 A I don't remember.  
16 Q. Okay I'm going to put on the display  
17 Exhibit 43 Do you recognize these folks?  
18 A Hermia. Looks like -- Hermia. Looks like  
19 Aaron back there, Janine and Penny. I think her  
20 name is Penny. I can't see that girl well enough to  
21 know who it is.  
22 Q Okay I'm going to skip some photos  
23 here I'm going to move to Exhibit 46. This one is  
24 Christine Jobe?  
25 A Yes. That one might be Gina. I can't

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1 tell with her hair like that.  
2 Q Which one might be Gina?  
3 A That might be Gina. But I can't tell.  
4 She's all wet -- her hair.  
5 Q Placing on the Exhibit No. 47 -- on the  
6 projector. Do you recognize him?  
7 A I recognize him, but I don't remember his  
8 name.  
9 Q Okay Putting on the projector  
10 Exhibit 48.  
11 A That's Joe Foddy or Fody, something like  
12 that.  
13 Q Okay Exhibit 53?  
14 A That's Tari. I think her name is Tari or  
15 Tori.  
16 Q. Is she the pregnant woman?  
17 A Yes, sir.  
18 Q. Placing on the exhibit -- the projector  
19 Exhibit 56. Do you recognize these folks?  
20 A That's Winnie back -- well, not that one.  
21 The one behind her. That's Winnie. And I think  
22 that's Rupel, Rupel Patel. I can't see the others  
23 well enough to.  
24 Q Placing on the projector Exhibit 57. Do  
25 you recognize these folks?

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1 A It's Winnie and Julia. I can't tell the  
2 other ones.  
3 Q. And who is that next to her?  
4 A This one is Julia, and that one is Winnie.  
5 Q. Julia. What's her last name?  
6 A I think it's Bunker, something like that.  
7 Q. Bunker?  
8 A I think so. Names are not my strongest  
9 suit.  
10 Q. There is another picture of her and  
11 another person  
12 A That's Julia.  
13 Q Okay. I'm going to place on the projector  
14 Exhibit 59. Do you recognize these folks?  
15 A That's Sheryl.  
16 Q Sheryl. Do you know her last name?  
17 A I think it's Sheryl Sterns. She worked  
18 for James.  
19 Q I'm going to place on the projector  
20 Exhibit 62  
21 A That's Tari.  
22 Q. And she was the woman who was sitting next  
23 to you or lying next to you in the sweat lodge?  
24 A Yes, sir. Uh-huh.  
25 Q Placing on the projector Exhibit 63 Do

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1 you recognize these folks?  
2 A. That's Rupel, and this is Ralph.  
3 Q. Ralph. Do you know Ralph's last name?  
4 A. That's Julia's husband. I think it's  
5 Bunker. I'm not sure of their last name. And then  
6 Winnie. And I guess that's Christine back there.  
7 Christine and Winnie. That's Tari.  
8 Q. Now, you were able to observe all of these  
9 people at close range?  
10 MS. POLK: Objection to the leading question.  
11 THE COURT: Overruled.  
12 THE WITNESS: I interacted with them. Yeah.  
13 Q. BY MR. LI: Placing on the projector  
14 Exhibit 68. Do you recognize these folks?  
15 A. That's Julia and Ralph.  
16 Q. Bunker?  
17 A. Hopefully.  
18 Q. Now, if I could just point out, is this  
19 tent here -- do you recognize that tent?  
20 A. Yeah. That's where I moved and sat under  
21 for a while.  
22 Q. Placing on the projector -- placing on the  
23 projector Exhibit 40 -- 69. Sorry. Do you  
24 recognize these folks?  
25 A. This is Wendy Benkowski.

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1 Q. And do you know who the other person is  
2 off hand?  
3 A. I remember her, but I don't remember her  
4 name.  
5 Q. And last -- well, not last. I'm putting  
6 on the projector Exhibit 70. Do you recognize these  
7 folks?  
8 A. Yes. My gosh. I can't remember her  
9 name.  
10 Q. Were you able to interact with these  
11 folks, though?  
12 A. Yes.  
13 Q. Putting on the display Exhibit 39. Do you  
14 recognize anyone in this photograph that you haven't  
15 previously identified?  
16 A. Yes. That's me.  
17 Q. Indicating the woman in the black bathing  
18 suit standing near the tent. You had described your  
19 route towards the tent earlier. Is that you on your  
20 way?  
21 A. Uh-huh. Or sometime. Yes.  
22 Q. Now, after you walked over to the tent and  
23 got a drink of water and did the things you did,  
24 what did you do next?  
25 A. Well, I sat in the tent for a while and

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1 just sat there. And then I thought about getting  
2 some fruit but I decided not to. And then I went  
3 back to the -- I left and took a shower and got  
4 ready for dinner -- or for the closing ceremony.  
5 Q. And what was taking place around you?  
6 A. The same thing. I mean, people laying in  
7 the water and walking out, getting their stuff  
8 together and going back to take showers and the same  
9 thing.  
10 Q. Did you see people smiling?  
11 A. Oh, yes.  
12 Q. Did you hear laughter?  
13 A. Uh-huh.  
14 Q. Cheers?  
15 A. Yeah.  
16 Q. Now, if I could move you to dinner time,  
17 when you went to dinner, this was after the event,  
18 the closing ceremonies?  
19 A. Well, the dinner was after the event  
20 before closing ceremonies.  
21 Q. Sorry. So at the dinner -- did the  
22 participants go to the dinner?  
23 A. Yes, sir.  
24 Q. How about your roommates? Did they go to  
25 the dinner?

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1 A. I think so. I don't remember right  
2 definitely, but probably.  
3 Q. Did you hear people complaining or --  
4 complaining about the sweat lodge?  
5 MS. POLK: Objection. Leading, Judge.  
6 THE COURT: Sustained.  
7 Q. BY MR. LI. Were people talking about the  
8 sweat lodge?  
9 A. Yes.  
10 Q. How would you describe their conversations  
11 about the sweat lodge?  
12 A. The ones -- I mean, we were saying wow. I  
13 did it. That was hot. Glad that's over -- you  
14 know -- those kinds of things. Just not really --  
15 not really celebrating but -- you know -- we got  
16 that one under our belt type thing.  
17 Q. Describing accomplishment?  
18 A. Yes. Absolutely.  
19 MR. LI: If I may have one moment, Your Honor.  
20 THE COURT: Yes.  
21 MR. LI: I have nothing further, Your Honor.  
22 THE COURT: Okay.  
23 Ms. Polk, about 10 minutes or so or we can  
24 recess now.  
25 MS. POLK: Your Honor, I have more than 10

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1 minutes.  
2 THE COURT: Let's go ahead and take the noon  
3 recess. And I'll want to remind Miss Wendt that the  
4 rule of exclusion of witnesses has invoked. That  
5 means you cannot talk about your testimony or the  
6 case with any other witnesses until this hearing is  
7 over. You can talk to the lawyers. I don't know  
8 that there are any other witnesses. But you just  
9 can't talk -- it's really a good idea not to talk  
10 to anyone else about your testimony or the case.  
11 Except you can talk to the lawyers.

12 Okay?

13 THE WITNESS: Yes, sir.

14 THE COURT: We will resume. I do have that  
15 matter. I'll try to accelerate it. I'd like to  
16 start at 1:30. Try to move that other thing up a  
17 little bit.

18 Thank you.

19 You're excused.

20 (Recess )

21 THE COURT: We're back on the record in State  
22 versus James Arthur Ray. The attorneys are all  
23 present. Ms. Wendt is on the witness stand again.

24 And, of course, you're still under oath.

25 THE WITNESS: Yes, sir.

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1 THE COURT: Ms. Polk, you may cross-examine.

2 MS. POLK: Thank you, Your Honor.

3 CROSS-EXAMINATION

4 BY MS. POLK:

5 Q Good afternoon, Ms. Wendt.

6 A Good afternoon.

7 Q My name is Sheila Polk. I'm the  
8 prosecutor in the case. And you and I spoke by  
9 phone in June of this year. Do you recall that?

10 A Yes, ma'am.

11 Q At that time, Ms. Wendt, you told me that  
12 you had a good experience at the Spiritual Warrior  
13 Seminar? Is that correct?

14 A That's right.

15 Q And you also told me that you had a good  
16 experience inside the sweat lodge? This is in  
17 2008

18 A Yes, ma'am.

19 Q Do you recall also telling me at that time  
20 that you don't remember much about the other  
21 participants in the sweat lodge ceremony because you  
22 were in your own little world?

23 A Yes, ma'am.

24 Q And do you recall also telling that to  
25 Detective Polling on November 13th of 2009 when you

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1 and he spoke?

2 A Yes, ma'am.

3 Q And, in fact, you recall telling  
4 Detective Polling in November of 2009 that you don't  
5 really remember much because you were in your own  
6 little world, in your own little thinking and  
7 feeling and in your own little world? Does that  
8 sound familiar?

9 MR. LI: Objection, Your Honor. Improper  
10 impeachment. This is the same behavior that  
11 Ms. Polk was objecting to earlier on my  
12 cross-examination. There is no transcript in front  
13 of her. We are not looking at a transcript. She  
14 hasn't identified what she's talking about.

15 THE COURT: Sustained.

16 Q BY MS. POLK. Ms. Wendt, tell the Court,  
17 if you would, how much -- let's talk about the sweat  
18 lodge and your comments that you were in your own  
19 little world. What do you mean by that?

20 A I was thinking about what was going on  
21 with me, listening to my body, talking to some of my  
22 friends, not paying attention to or not being  
23 engrossed in everything else around me.

24 Q And you started to say not paying  
25 attention to what was around you. Is that also

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1 true?

2 A Somewhat. I mean, I'm not close friends  
3 with everybody at the whole event. So -- you  
4 know -- I was probably focused on my group of  
5 friends.

6 Q In what year did you first meet James Ray?

7 A Probably 2007.

8 Q Can you tell me how many events of James  
9 Ray you have attended.

10 A I've done all of his events.

11 Q And how many would that be?

12 A Five maybe. After -- I can't remember  
13 them all. Harmonic Wealth I've done a couple  
14 times. Quantum Leap, Practical Mysticism. I don't  
15 remember the name of another one. About five.

16 Q Where was the Harmonic Wealth held?

17 A It's held different places. I think I  
18 attended one in California. And I think I attended  
19 one in Vegas.

20 Q And how about Practical Mysticism. What  
21 city was it in when you attended it?

22 A Tahoe.

23 Q Did you attend Modern Magic?

24 A Yes.

25 Q What city was that in when you attended?

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1 A. Modern Magic was in Hawaii.  
2 Q Are you a member of the World Wealth  
3 Society?  
4 A. Yes, ma'am.  
5 Q. Will you tell The Court what that is.  
6 A. It's a group of people who want to study  
7 closer with James.  
8 Q A group of people who -- I'm sorry I  
9 didn't hear you  
10 A. Want to study closer with James.  
11 Q What do you do specifically to study  
12 closer with -- you mean James Ray when you say  
13 "James"?  
14 A. Yes, ma'am.  
15 Q What do you do to study with him closer?  
16 A. We get to go to the events as many times  
17 as we want. We get to bring a guest with us. We  
18 get to have materials, get all the materials. You  
19 can -- there is a lunch that you can go to and ask  
20 questions if you need further clarification. There  
21 is a trip once a year that you can go on.  
22 Q. With James Ray?  
23 A. Yes, ma'am.  
24 Q How much does it cost to be in the World  
25 Wealth Society?

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1 A. I think it was \$70,000 for two people.  
2 Q Is that what you paid?  
3 A. Yes, ma'am.  
4 Q Did you pay for a second person?  
5 A. We split it.  
6 Q You and a second person?  
7 A. Yes, ma'am.  
8 Q Who was that?  
9 A. Brenda Bowery.  
10 Q Is that a one-time payment?  
11 A. No, ma'am.  
12 Q How frequently do you have to pay the  
13 \$70,000?  
14 A. It was every 15 months or something like  
15 that.  
16 Q Do you know total how much you paid James  
17 Ray to be in the World Wealth Society?  
18 A. No, ma'am. Probably an exact amount, no,  
19 ma'am.  
20 Q. How about a rough amount?  
21 A. Probably \$45,000, somewhere in there.  
22 Q For how many months -- do you belong to  
23 the World Wealth Society today?  
24 A. It's not around anymore.  
25 Q How many months did you belong to it?

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1 A. From the beginning until the end.  
2 Q. Which would be what month of what year?  
3 A. It was in Vegas. Maybe November 2007  
4 maybe.  
5 Q. Were you still a member in October of  
6 2009?  
7 A. Yes, ma'am.  
8 Q In addition to paying the money, the  
9 45,000 to be part of the World Wealth Society, did  
10 you also pay to attend the various seminars that you  
11 attended?  
12 A. No, ma'am. That was all part of it.  
13 Q It was all covered So when you attended  
14 the Spiritual Warrior seminar in --  
15 A. I did pay extra for that one.  
16 Q How much did you pay for that one? Was it  
17 close to \$10,000?  
18 A. It was definitely under 10,000. I was  
19 thinking 7,500 but --  
20 Q So you paid to be in the World Wealth  
21 Society, and you also had to pay the Spiritual  
22 Warrior Seminar in 2008?  
23 A. Yes, ma'am.  
24 Q. Did you have to pay to attend any of the  
25 other seminars that you attended?

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1 A. No, ma'am.  
2 Q. That 45,000 -- you told us you paid  
3 approximately 45,000. How much total, then, have  
4 you paid to James Ray or JRI for seminars to be part  
5 of the World Wealth, to purchase his publications?  
6 What's your total financial investment in James Ray  
7 or JRI?  
8 A. When you're in the World Wealth Society,  
9 you get all of the materials as part of that. So  
10 probably a little over \$50,000.  
11 Q. When was the Modern Magic seminar in  
12 Hawaii?  
13 A. I don't remember. Maybe April.  
14 Q. Of what year?  
15 A. I've been twice. I think probably April  
16 of '08.  
17 Q Did you attend it twice?  
18 A. Uh-huh.  
19 Q. Is that a yes?  
20 A. Yes, ma'am. I'm sorry.  
21 Q And both times was it in Hawaii?  
22 A. Yes, ma'am.  
23 Q Did you have to pay for your own  
24 transportation to get there?  
25 A. Yes, ma'am.

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1 Q Did you also have to pay for your own food  
2 and lodging?  
3 A Yes, ma'am.  
4 Q What is it that you did not have to pay  
5 for, then, for that seminar because you're a member  
6 of the World Wealth Society?  
7 A The seminar.  
8 Q There is a fee for the seminar that's  
9 separate from food and lodging?  
10 A Yes, ma'am.  
11 Q You -- in your direct testimony you  
12 mentioned the physical challenges that were present  
13 in some of the seminars?  
14 A Yes, ma'am.  
15 Q Were they present in every seminar?  
16 A Yes, ma'am.  
17 Q You testified that you opted out of doing  
18 the tightrope?  
19 A Yes, ma'am.  
20 Q When was that?  
21 A In Tahoe, in Practical Mysticism.  
22 Q You testified that -- you were asked the  
23 question by Mr. Li, did James Ray mock people for  
24 not participating. And your response was well, he  
25 pushed people What do you -- can you tell the

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1 Court what you mean by that.  
2 A You can do this. Come on. Give it your  
3 best. Step out of your comfort zone. Those are the  
4 things that come to my mind right off.  
5 Q Would you hear that frequently at James  
6 Ray events?  
7 A Yes, ma'am.  
8 Q That encouragement to push yourself  
9 physically?  
10 A I don't know -- yeah. I guess physically.  
11 Q Well, what would you say? I don't want to  
12 put words in your mouth  
13 A Physically, but more -- you know --  
14 complete the exercise, participate fully. Those  
15 kind of things. Not all of it is physical. A lot  
16 of it is just sitting there writing and that kind of  
17 thing.  
18 Q Did Mr. Ray explain to you why he wanted  
19 you to participate fully?  
20 A I would guess to get what we came for, to  
21 discover more, to grow more, to learn more about  
22 ourselves.  
23 Q Why did you opt out of the tightrope  
24 event?  
25 A I just felt it was not right for me to

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1 do. There was something that said don't do it.  
2 Q Were you frightened?  
3 A Not too much of that one.  
4 Q Were you frightened of other events?  
5 A Yes, ma'am.  
6 Q Tell me what events put on by James Ray  
7 frightened you.  
8 A Pretty much all of them. Just -- just  
9 about all of them, everything that I did. I think  
10 that's one of the things that I was learning was  
11 that nothing was as great as my fear, in  
12 everything. Not just events, just everything.  
13 Q Is that something that James Ray said to  
14 you, that nothing is as great as your fear?  
15 A No, ma'am. F.D.R., Franklin Roosevelt.  
16 Q And is that something that Mr. Ray  
17 referred to?  
18 A That I don't remember.  
19 Q It's possible that you got that from James  
20 Ray, that reference to F D R ?  
21 A No. Mainly that's what I think about a  
22 lot in my life even before James Ray.  
23 Q Okay Did you participate in the Modern  
24 Magic event that consisted of trying to break a  
25 cinder brick with your hand?

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1 A Yes, ma'am.  
2 Q Did you break the cinder brick?  
3 A No, ma'am.  
4 Q How was your hand?  
5 MR. LI: Objection, Your Honor. Relevance.  
6 THE COURT: Overruled.  
7 You may answer that.  
8 THE WITNESS: My hand was fine. I didn't hurt  
9 it. I mean, it felt like I'd hit a brick.  
10 Q BY MS. POLK Did other people break their  
11 hands at that event that you were at?  
12 A Yes, ma'am.  
13 Q About how many people?  
14 MR. LI: Objection, Your Honor. Relevance.  
15 THE COURT: Sustained.  
16 Q BY MS. POLK: Ms. Wendt, you testified on  
17 direct that you attended the Spiritual Warrior  
18 Seminar in 2008 here in the Sedona area against your  
19 doctor's advice?  
20 A Yes, ma'am.  
21 Q What were you suffering from?  
22 A An upper respiratory.  
23 Q And you had gone to the doctor for that --  
24 A Yes, ma'am.  
25 Q -- illness? Did the doctor have you on



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1 medication?  
2 **A. No, ma'am.**  
3 **Q** What were the symptoms of your upper  
4 respiratory illness?  
5 **A. Coughing and not feeling well, sinus**  
6 **infection.**  
7 **Q** You had a sinus infection as well?  
8 **A. Yes, ma'am.**  
9 **Q** And the doctor told you not to come to the  
10 Spiritual Warrior Seminar?  
11 **A. No. He didn't tell me not to. He told me**  
12 **that I needed to rest and take lots of fluids. I**  
13 **told him I was going out of town. He said well,**  
14 **airplane rides are dehydrating, those kind of thing.**  
15 **Q** Your doctor was concerns about dehydration  
16 and it's impact on your illness?  
17 **A. My sinuses.**  
18 **Q** Your sinuses. Did you tell the doctor  
19 that one of the events you would be participating in  
20 in the Spiritual Warrior event was a sweat lodge  
21 event?  
22 **A. No, ma'am.**  
23 **Q** That's because you did not know that at  
24 the time?  
25 **A. No, ma'am.**

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1 **Q** Did you know ahead of time you would be  
2 participating in the Vision Quest event where you  
3 would not have food or water for 36 hours?  
4 **A. Yes. I think I heard that.**  
5 **Q** Did you tell the doctor that?  
6 **A. No, ma'am.**  
7 **Q** When you went inside the sweat lodge to  
8 participate in the ceremony in 2008, had you told  
9 James Ray that you were suffering from an upper  
10 respiratory illness?  
11 **A. No, ma'am.**  
12 **Q** And, in fact, no health questionnaires  
13 were obtained from participants from Mr. Ray, is  
14 that true?  
15 **A. We filled out a whole bunch of**  
16 **questionnaires. I don't remember if there was a**  
17 **health. I think we had to say we were in good**  
18 **health.**  
19 **Q** You think so?  
20 **A. I think so.**  
21 **Q** But you're not sure?  
22 **A. No, ma'am.**  
23 **Q** And would there be any documents you could  
24 look at to refresh your recollection about that?  
25 **A. Maybe if I still have them.**

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1 **Q.** Did you tell-- assuming that you filled  
2 out something that said were you in good health,  
3 what did you put on it in terms of your upper  
4 respiratory illness?  
5 **A. I probably didn't -- I mean, by the time I**  
6 **got there I was feeling fine. I really don't know.**  
7 **Q.** Were you no longer sick by the time you  
8 got there?  
9 **A. There is sick and then there is**  
10 **allergies. I have a lost allergies. And to me it's**  
11 **a way of life for me with my allergies. So I was --**  
12 **probably still had a little sinus infection and --**  
13 **but nothing that I really noticed.**  
14 **Q** Do you think you had a sinus infection  
15 when you went inside the sweat lodge?  
16 **A. Not at that time. No.**  
17 **Q.** You think were you healthy by then?  
18 **A. Yes, ma'am.**  
19 **Q.** You testified about the samurai games that  
20 were conducted at some point at the Spiritual  
21 Warrior Seminar in 2008 What was the point of that  
22 game? Do you know?  
23 **A. I believe it was living your life with**  
24 **integrity, kind of a lesson in seeing when we're not**  
25 **in integrity and when we are, how we can work with a**

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1 **team.**  
2 **Q.** And in that game James Ray played God?  
3 **A. Yes, ma'am.**  
4 **Q.** What did he do as God?  
5 **A. He condemned people to die.**  
6 **Q** He condemned people to die --  
7 **A. When they broke the rules.**  
8 **Q.** How did he do that?  
9 **A. I think he pointed to them and said die.**  
10 **Q.** What did a participant do when they were  
11 condemned by James Ray to die?  
12 **A. They laid down on the ground.**  
13 **Q** They were instructed to lay down on the  
14 ground?  
15 **A. Yes, ma'am.**  
16 **Q.** How long did they then have to stay on the  
17 ground?  
18 **A. Until it was over.**  
19 **Q** How many hours did that game last for?  
20 **A. Several. But I don't remember how many.**  
21 **Several.**  
22 **Q.** In fact, did it go into the evening?  
23 **A. It was into evening.**  
24 **Q** And, in fact, certain participants who  
25 were deemed dead by James Ray had to continue to lie

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1 there when other participants left Do you recall  
2 that?

3 A. When they left?

4 Q Some were allowed to go to dinner, and  
5 some participants were still dead and had to stay  
6 dead on the floor?

7 A. I think so. Yes, ma'am.

8 Q And, in fact, some participants missed  
9 dinner because they had been condemned to die by  
10 James Ray?

11 A. Yes, ma'am.

12 Q. Was the theme of death a theme that was  
13 part of the Spiritual Warrior Seminar all week?

14 A. I don't -- I don't know that it was -- I  
15 remember more rebirth. You're shedding your past  
16 and you're being reborn.

17 Q In what sense? What did that mean to you?

18 A. Well, we did a lot of dredging up our past  
19 and writing and remembering and things that we  
20 wanted to make amends for in our life and that kind  
21 of thing. And we wrote that for many days, for  
22 several days. Kind of going into myself and  
23 seeing -- you know -- like, how I felt about my  
24 mother and my family. And even though wonderful  
25 family, there is issues and -- you know -- I kind of

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1 got rid of some of that stuff.

2 Q Did you consider the week to be about you  
3 and your personal experiences?

4 A. Yes, ma'am.

5 Q As opposed to being a week about making  
6 new friends and connections and networking?

7 A. I made great friends there. I don't know  
8 too much about networking. I don't understand that  
9 part.

10 Q Okay Was the week about letting people  
11 have their own experiences to work through issues?

12 A. Yes.

13 Q In fact, do you recall situations where  
14 somebody might have a breakdown, might be crying  
15 about something and James Ray telling participants  
16 leave them alone? They're having their own  
17 experience?

18 A. Yes, ma'am.

19 Q. Did that happen on several occasions?

20 A. Yes, ma'am.

21 Q And that's because people were examining  
22 themselves and confronting issues and it was very  
23 emotional?

24 A. Yes, ma'am.

25 Q And although in normal situations, if

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1 somebody is crying or appears to be in distress, you  
2 might normally reach out to help them, this week was  
3 about letting them this have their own experience  
4 and working through it?

5 A. Well, yes. But he would also assign a  
6 Dream Team member or somebody to work with that  
7 person, just not another participant to do that.

8 Q. And, in fact, participants were told leave  
9 them alone? The Dream Team will deal with them?

10 A. Right then, yes.

11 Q. In other words, you weren't encouraged  
12 through the week to reach out and help people who  
13 were in distress?

14 MR. LI: Objection to the use of the term  
15 "distress." It's vague and ambiguous.

16 THE COURT: You may answer that if you can.

17 THE WITNESS: I don't know that -- I don't know  
18 that that's necessarily true. My roommate was  
19 struggling. She and I talked it through. You know,  
20 there were certain times that you let the Dream Team  
21 person work with that person. And then there was  
22 times when you could talk about it among  
23 yourselves.

24 Does that make sense?

25 Q. BY MS. POLK. It does And who determined

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1 those times? Who determined when you would leave  
2 people alone or when it would be time to talk with  
3 somebody else about what you were experiencing?

4 A. I guess after the activities -- you  
5 know -- after we were done with the activities.

6 Q. So it would be James Ray who would  
7 determine the events and what you were supposed to  
8 be doing at the time?

9 A. In general, yes, ma'am.

10 Q. You mentioned that you were told  
11 repeatedly by James Ray to hydrate throughout the  
12 week Do you recall that testimony?

13 A. Yes, ma'am.

14 Q. And, in fact, your testimony was that  
15 James Ray said hydration comes from the days  
16 beforehand and not the day of?

17 A. Yes, ma'am.

18 Q. What does that mean?

19 A. Well, to me it means, I guess because  
20 where I come from, it's important to hydrate all the  
21 time. Don't just drink a bunch of water and think  
22 that you're hydrated. Hydrate daily.

23 Q In other words, it's not enough to just  
24 hydrate for a few hours before an event You have  
25 to come to it that day hydrated?

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1 A. I would say so.  
2 Q And yet you testified that just prior to  
3 doing the sweat lodge ceremony, you went 36 hours  
4 without food and without water?  
5 A. Yes, ma'am.  
6 Q You testified that you were taking salt?  
7 A. Yes  
8 Q Who told you to take salt?  
9 A. James. James Ray.  
10 Q. Did he tell all the participants to take  
11 salt?  
12 A. Yes.  
13 Q Did he provide you with the salt?  
14 A. Yes, ma'am.  
15 Q What kind of salt did he provide you with?  
16 A. I don't remember the name of it. It  
17 wasn't table salt. But I don't remember.  
18 Q It was a special salt that he had?  
19 A. I don't know. I mean, it was in our bag.  
20 I don't know.  
21 Q Did James Ray tell you how much salt to  
22 take?  
23 A. Tablespoon.  
24 Q How frequently?  
25 A. Daily.

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1 Q How much salt do you normally take --  
2 intake whether you eat?  
3 A. I don't know. Probably a lot.  
4 Q Did James Ray ever tell you that excess  
5 salt can actually lead to dehydration?  
6 A. I think I know that. I don't know if I  
7 heard that from James or just knowing it.  
8 Q You testified about going into the sweat  
9 lodge for a ceremony and that you -- that it was a  
10 surprise. You did not know it was coming Is that  
11 true?  
12 A. Yes, ma'am.  
13 Q How many minutes or hours before the sweat  
14 lodge ceremony did you know you were going to do a  
15 sweat lodge?  
16 A. I don't know. Maybe a couple of hours, an  
17 hour. I don't remember.  
18 Q Just an hour about?  
19 A. An hour or two maybe.  
20 Q And how did you feel about going into a  
21 sweat lodge?  
22 A. Fine.  
23 Q You felt fine?  
24 A. Yes, ma'am.  
25 Q. You went in with a positive attitude?

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1 A. I think so. A little nervous. I was  
2 nervous being here. But -- you know -- just a  
3 little nervous but --  
4 Q. Before going into the sweat lodge, you  
5 told us that there was a meeting where James Ray  
6 told all the participants what to expect Do you  
7 recall that?  
8 A. Uh-huh.  
9 Q. Where did that meeting take place?  
10 A. Probably in the meeting room, I think.  
11 Q Among the things that James Ray told  
12 participants at that presweat lodge meeting, you  
13 told us he talked about how you would feel like  
14 you're going to die?  
15 A. Yes, ma'am.  
16 Q What did he -- did James Ray say to you  
17 about feeling like you're going to die?  
18 A. He said that there would be times when you  
19 felt like you were going to die. Push through, give  
20 it your all. Those kinds of things.  
21 Q So James Ray said even if you feel like  
22 you're going to die, you need to push through it?  
23 A. Well, I didn't take it as literal. I took  
24 it more as a metaphor. That's how I took it.  
25 You'll feel like your going to die, you're not going

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1 to make it. You'll come back. I never took it that  
2 he meant I was actually going to die.  
3 Q. Did you take it you might physically feel  
4 like you're going to die?  
5 A. No, I didn't.  
6 Q So you took it as a metaphor?  
7 A. Yes, ma'am.  
8 Q A metaphor for what?  
9 A. That I was going to get emotional, that I  
10 was going to maybe have a breakdown or a break  
11 through or -- you know -- start crying or -- you  
12 know -- those kind of things.  
13 Q. Did James Ray tell you that it would be  
14 hot?  
15 A. Yes, ma'am.  
16 Q. How hot did say it would be?  
17 A. Very hot.  
18 Q. Those were his words, just very hot?  
19 A. I don't remember exactly. I remember it  
20 as it's going to be very hot.  
21 Q Did he tell you that some of you might  
22 reach an altered state in the sweat lodge?  
23 A. Yes, ma'am.  
24 Q. What did he say about that?  
25 A. I think just about that -- you know --

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1 stay seated. If you're going to leave, leave when  
2 the flap is up. You know. I don't remember him  
3 going into a whole lot of detail about that.

4 Q Do you remember him using the words  
5 "altered state"?

6 A. Probably.

7 Q Did he talk about achieving an altered  
8 state throughout the week?

9 A. For the sweat lodge?

10 Q Throughout the Spiritual Warrior week did  
11 he in general talk about reaching an altered state?

12 A. I don't remember altered state -- him  
13 talking about altered states up until the sweat  
14 lodge. No. Maybe during the breath work time. I  
15 don't know. It was more inner thought, working  
16 through yourselves like that, sitting out in the  
17 Vision Quest. There wasn't any altered states in  
18 any of that.

19 Q Was there any altered state involved with  
20 the breath work?

21 A. There could be.

22 Q When did you do breath work?

23 A. I think that was the night before the  
24 Vision Quest.

25 Q Tell the Court what the breath work was

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1 about

2 A. You breathe deeply and quickly for several  
3 hours, and then you stop.

4 Q. What was supposed to happen because of the  
5 deeply -- the breath work?

6 A. I don't think you really -- it just takes  
7 you wherever you want it to be taken, wherever you  
8 go. When I did mine, I thought I was there for 20  
9 minutes. And I thought well, I wonder why I cut it  
10 short. Then I realized it had been about two  
11 hours. So --

12 Q So you said when you did the breath work,  
13 you thought were you there for about 20 minutes and,  
14 in fact, two hours had passed?

15 A. Yes, ma'am.

16 Q You thought were you there meaning in the  
17 room? Or what do you mean by that?

18 A. That we'd been doing it for about 20  
19 minutes.

20 Q Did you achieve an altered state doing the  
21 breath work?

22 A. I remember hearing things that were going  
23 on, thinking about other things, but I really  
24 thought it had only been about 20 minutes. I didn't  
25 feel like I was an altered state.

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1 Q What does an "altered state" mean to you?

2 A. Not really focused on what's -- being a  
3 little more free, kind of letting myself experience  
4 what comes to me. Those kind of things.

5 Q. In an altered state is it fair to say you  
6 are less aware of your surroundings?

7 A. Probably.

8 Q Probably?

9 A. Or maybe more sometimes. I don't know  
10 that answer.

11 Q Well, when you did the breath work and you  
12 thought two hours -- 20 minutes had passed and, in  
13 fact, two hours had passed, had you entered a realm  
14 where you were less aware of what was going on  
15 around you?

16 A. Well, I don't -- I guess maybe I was in an  
17 altered state. But I was very aware of the  
18 conversations that were going on around me. I was  
19 very aware of when people walked by me. I mean, I  
20 know that sounds kind of unusual. But when I was  
21 doing that, I was very aware of those kinds of  
22 things.

23 So I don't know that altered states means  
24 that I'm not aware of what's going on. I think it  
25 might -- could sometimes and sometimes it might mean

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1 that you're more aware of what's going on around  
2 you.

3 Q Okay And when you did the breath work,  
4 were you hyperventilating?

5 A. Probably.

6 Q. When James Ray did the meeting with the  
7 participants before going into the sweat lodge in  
8 2008, did he mention that if people passed out that  
9 they would be dragged out?

10 A. Maybe. I don't --

11 Q It's possible?

12 A. I don't remember that but --

13 Q Is it possible that he said that?

14 A. I don't know. Maybe.

15 Q And did James Ray say that if you pass  
16 out, you won't die? Do you recall that?

17 A. I do not recall that. I thought I was  
18 going to be doing an obstacle course. I really did.

19 Q. Okay. Do you recall James Ray telling you  
20 that it would be a very healthy experience?

21 A. I don't remember his exact words. I mean,  
22 what I got from it was the whole week was a healthy  
23 experience because we were going to be going inside  
24 and -- you know -- purging up things that we didn't  
25 really want to purge up and doing a lot of

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1 self-reflection and that kind of thing.  
 2 So I don't remember the world "healthy."  
 3 But if he did say that, that's what I took it as.  
 4 Nothing about my physical health.  
 5 Q Let's talk about inside the sweat lodge,  
 6 then You left after the third round?  
 7 A. Yes, ma'am.  
 8 Q And how long were you out for?  
 9 A. A full round.  
 10 Q A full round?  
 11 A. Yes, ma'am.  
 12 Q You went back in for the fifth round?  
 13 A. Yes, ma'am.  
 14 Q And there were two more rounds after that?  
 15 A. Yes, ma'am.  
 16 Q. How many rounds total were there?  
 17 A. I don't really remember. I'm sorry.  
 18 Q Do you remember how long in terms of  
 19 minutes or hours the sweat lodge ceremony was?  
 20 A. I don't think it was hours, but I don't  
 21 really remember how long it was.  
 22 Q About how many -- you think it was less  
 23 than one hour?  
 24 A. No. I think it was between one and two  
 25 hours.

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1 Q You testified about a woman who was  
 2 pregnant. Do you recall her name?  
 3 A. I think it's Tari.  
 4 Q Do you recall her last name?  
 5 A. No, ma'am.  
 6 Q Would it be Tari Coffey? Does that ring a  
 7 bell or not?  
 8 A. I don't remember.  
 9 Q. And you testified when you went back in at  
 10 the fifth round, you actually laid down next to the  
 11 woman who was pregnant?  
 12 A. Yes, ma'am.  
 13 Q Do you recall that woman who was pregnant  
 14 lifting up the edge of the sweat lodge during the  
 15 ceremony to get air?  
 16 A. Maybe.  
 17 Q. And, in fact, were you near that area  
 18 where she was lifting the edge to get air?  
 19 A. I might have been. When you're laying  
 20 there, your head --  
 21 Can I do that?  
 22 Q Yes  
 23 A. You're laying there and your head is like  
 24 this. So -- you know -- you have your eyes closed  
 25 and your hands -- your face down. I had my nose

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1 kind of in between my hands. Does that make sense?  
 2 Q. Yes But in spite of that, it's your  
 3 testimony that you possibly recall the pregnant  
 4 woman lifting the edge to get air?  
 5 A. I think she might have told me that. I  
 6 can't remember if I -- I think she might have told  
 7 me that.  
 8 Q At the time or later?  
 9 A. Later.  
 10 Q And let me go back to the round that you  
 11 were outside the sweat lodge. That would have been  
 12 the fourth round. Does that sound right?  
 13 A. Yes, ma'am.  
 14 Q. You said that there were 10 to 15 of you  
 15 outside the sweat lodge at that point?  
 16 A. Yes, ma'am.  
 17 Q. And that you all held hands to hold space?  
 18 A. Some of us. Yes, ma'am.  
 19 Q. What does that mean?  
 20 A. We stood around and just kind of held  
 21 hands and was quiet.  
 22 Q. Why did you do that?  
 23 A. Just to be respectful of the people inside  
 24 the sweat lodge and what they were going through.  
 25 Q. And then when you went back in, you also

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1 laid down next to Christine Jobe?  
 2 A. Yes.  
 3 Q Did Christine stay in the whole time?  
 4 A. No, ma'am.  
 5 Q. When did she get out?  
 6 A. I don't know when she got out. I think  
 7 she was out when I came out. I don't know if she  
 8 came out or she'd already been out. I don't know  
 9 that.  
 10 Q. It's your belief she did not stay in the  
 11 whole time?  
 12 A. No. She was outside with me. So --  
 13 Q. Okay And then the two of you went back  
 14 in together?  
 15 A. Yes. But I don't know when she came out.  
 16 Q. Did she still stay to the end?  
 17 A. Yes, ma'am.  
 18 Q With you?  
 19 A. Yes, ma'am.  
 20 Q I'm going to take some time to look at  
 21 some of the photographs. While this is warming up,  
 22 let me ask you, Ms. Wendt, approximately how many  
 23 minutes went by from the time you got out of the  
 24 sweat lodge and you went walking to the white tent?  
 25 A. I would say 15 maybe, somewhere in there.

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1 Q 15 minutes? And what did you do during  
2 those 15 minutes?  
3 A Had water sprayed on me, drank some water,  
4 sat there. You know -- just sat there.  
5 Q How would you describe your state -- your  
6 condition at that time, your state of mind, your  
7 condition?  
8 A Hot. My legs were weak. Just kind of  
9 quiet. I don't know. Just kind of quiet. Really  
10 hot.  
11 Q Do you know what hyperthermia is?  
12 A No.  
13 Q Pardon me?  
14 A Not specifically. But yeah. I've heard  
15 of it in movies and things like that.  
16 Q Would you agree that hyperthermia --  
17 MR. LI: Objection. Relevance.  
18 THE COURT: Overruled.  
19 Q BY MS POLK Ms Wendt, would you agree  
20 that hypothermia -- hyperthermia is elevated body  
21 temperature when the body -- caused by the body  
22 producing or absorbing more heat than it can expel?  
23 MR. LI: Objection. Foundation.  
24 THE COURT: I don't know that she knows that.  
25 You may answer that if you can.

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1 THE WITNESS: I don't know that I can sit here  
2 and say yes, that's what that is.  
3 Q BY MS POLK And are you aware that  
4 symptoms of hyperthermia include being dizzy?  
5 MR. LI: Objection. Foundation, relevance.  
6 THE COURT: And I think she couldn't even say  
7 if she knew what hyperthermia was. So sustained.  
8 Q BY MS POLK Did you experience dizziness  
9 when you got out of the sweat lodge?  
10 A I don't know if -- I don't think I was  
11 dizzy. I was light headed. I don't think I was  
12 dizzy. My legs were weak.  
13 Q You felt weak? Were you sweating?  
14 A Yes, ma'am.  
15 Q And do you recall if you had a weakened  
16 pulse?  
17 A No, ma'am. No.  
18 Q. You don't recall?  
19 A No. I don't think I had a weakened  
20 pulse. I don't remember -- I mean no.  
21 Q. Did you feel giddy?  
22 A Giddy?  
23 Q Giddy  
24 A No, ma'am.  
25 Q. Did you feel disoriented?

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1 A. No, ma'am. Light headed but not  
2 disoriented.  
3 Q. Did you feel that you need to sit down,  
4 you needed to sit down?  
5 A. Yes, ma'am.  
6 Q And that's because you felt fatigued or  
7 weak?  
8 A. Yes, ma'am.  
9 Q And it's your testimony that it was about  
10 15 minutes that you laid down in the mud?  
11 A. If that long, yes.  
12 Q And then you walked over to the white  
13 tent?  
14 A. Yes, ma'am.  
15 Q I'm going to put up on the overhead  
16 Exhibit 28 This is a photograph you've already  
17 seen.  
18 A. Uh-huh.  
19 Q. And will you show us where you are in this  
20 photograph.  
21 A. Back in the back.  
22 Q. And that's when you're on your way to the  
23 white tent?  
24 A. Maybe. Yeah.  
25 Q So 15 minutes?

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1 A. I'd already gotten my water bottle. So I  
2 had to have gone over and gotten my stuff.  
3 Q. You had your water bottle in your hand  
4 here?  
5 A. Yes, ma'am.  
6 Q. Where was that water bottle?  
7 A. It was over here kind of out by the edge  
8 right there.  
9 Q And then after getting the water bottle  
10 you went over to the tent?  
11 A. I think so.  
12 Q So you would agree at least 15 minutes had  
13 gone by before -- from the end of the sweat lodge to  
14 the time this photograph was taken?  
15 A. Probably. I don't know the exact number  
16 of minutes, but a few minutes.  
17 Q Was it your testimony earlier that at some  
18 point you were lying down next to that woman there?  
19 A. I was sitting next to her.  
20 Q. And point to me where you were sitting.  
21 A. Right over here by Christine.  
22 Q. So by the time this photograph is taken,  
23 you've already gotten up, walked over, gotten your  
24 water bottle and you're on your way to the tent?  
25 A. Yes, ma'am.

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1 Q. When you went to get your water bottle,  
2 did you walk over people?  
3 A. Or through them. Maybe not over them but  
4 out towards the edge. I was sitting on a chair.  
5 Q Did you ever pay any attention to this  
6 lady right here? Do you know who that is?  
7 A. No, ma'am. I don't know who that is.  
8 Q Did you notice that in the photographs  
9 that Mr. Li showed you during cross -- during your  
10 direct examination that that lady remains curled up  
11 in that fetal position?  
12 A. She's on her knees. Yes, ma'am.  
13 Q You don't know who she is?  
14 A. No, ma'am.  
15 Q Did you ever go check up on here?  
16 A. No, ma'am.  
17 Q Did you know if she was in medical  
18 distress or not?  
19 A. No, ma'am.  
20 Q Do you know who this person is lying right  
21 here?  
22 A. No, ma'am.  
23 Q Did you ever go over to check up on that  
24 person?  
25 A. No, ma'am.

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1 Q Do you know if that person was in any form  
2 of distress?  
3 A. No, ma'am.  
4 Q Did you ever talk to that person after the  
5 event?  
6 A. I don't know who that is.  
7 Q. Do you know who this person is lying right  
8 there?  
9 A. Yes, ma'am.  
10 Q Who is that?  
11 A. Wendy.  
12 Q Wendy?  
13 A. Wendy.  
14 Q Did you ever talk to Wendy?  
15 A. Yes, ma'am.  
16 Q When did you talk to her?  
17 A. Before leaving the area.  
18 Q When did you leave the area? Are you  
19 talking about at the sweat lodge ceremony --  
20 A. Yes, ma'am.  
21 Q. So before you went back to your room, you  
22 checked up on Wendy?  
23 A. I don't know about checking up. She's one  
24 of my best friends. So I just was talking to her.  
25 Q Did you room with her?

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1 A. No, ma'am.  
2 Q And when you talked to her, how did she  
3 seem?  
4 A. Fine.  
5 Q She had recovered from whatever symptoms  
6 she had experienced?  
7 MR. LI: Objection, Your Honor. Misstates the  
8 evidence, assumes facts not in evidence.  
9 THE COURT: Sustained.  
10 Q. BY MS POLK: How aware were you when you  
11 came out of the sweat lodge of other participants?  
12 A. I'm not sure I understand. I mean, I  
13 looked for my friends, and I saw people. I don't  
14 know --  
15 Q. When you interviewed -- were interviewed  
16 by Detective Polling on November 13, 2009, and you  
17 told him that you were in your own little world and  
18 there wasn't a lot that you remembered?  
19 A. I looked -- I looked for my friends -- you  
20 know. I have certain group of friends, and it's  
21 kind of like that eye-to-eye thing. Like, sitting  
22 down next to Christine but then leaving. It was  
23 just -- that's my world. My friends are my world.  
24 I'm -- I wasn't really -- I guess I wasn't really  
25 paying attention to other people, just looking for

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1 my friends.  
2 Q And how many friends did you have at this  
3 event?  
4 A. Quite a few.  
5 Q. How many?  
6 A. I don't know the exact number.  
7 Q When you tell us that you made eye-to-eye  
8 contact with your friends when you came outside the  
9 sweat lodge, how many people are you talking?  
10 A. Probably four or five.  
11 Q. Can you tell me their names  
12 A. Christine.  
13 Q. And Christine is in this photo?  
14 A. Yes.  
15 Q. Will you point to her out to me.  
16 Christine and who else?  
17 A. Wendy.  
18 Q Okay  
19 A. Who I talked to right after. I mean, I  
20 remember I talked to Rupel. When it was I don't  
21 know. I'll have to sit and think who all I talked  
22 to.  
23 Q But at least three people you made  
24 eye-to-eye contact with at some point?  
25 A. Yeah. I was looking for my friends.

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1 Q I understand  
2 A Just -- not checking up on them. Just--  
3 you know -- I was looking for my group.  
4 Q Would you agree that there were about 65  
5 participants at that sweat lodge ceremony?  
6 A Somewhere in there.  
7 Q Would you agree when, on direct  
8 examination from Mr Li, you talked about people not  
9 being in distress, that you didn't really have a  
10 chance to check up on all 65 of the people?  
11 A I didn't -- I mean, I wouldn't. It didn't  
12 even check up. I wouldn't even think about checking  
13 up on people. Does that make sense?  
14 Q Yes  
15 A I mean --  
16 Q It's a fair statement that you had your  
17 own experience in the sweat lodge?  
18 A Yes, ma'am.  
19 Q And you came out and you are still in  
20 somewhat of a different state of mind, perhaps an  
21 altered state?  
22 A Kind of an euphoric state.  
23 Q A euphoric state And when you come out,  
24 you're not really focused on the other 64  
25 participants?

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1 A I see them. I mean, I don't know -- was I  
2 looking at each individual one intently, that kind  
3 of thing? No, ma'am.  
4 Q Now, are you aware that -- did you know  
5 Ted and Debby Mercer?  
6 A No. I don't.  
7 Q Were you aware there was a fire tender and  
8 door keeper at the sweat lodge ceremony?  
9 A I think I heard those words.  
10 Q You wouldn't be able to identify today who  
11 those two individuals are?  
12 A No, ma'am.  
13 Q You're aware they were there?  
14 A Those two people?  
15 Q Yes.  
16 A I don't know. I mean, no, I don't.  
17 Q Would you agree that individuals who are  
18 outside of the sweat lodge would be more aware of  
19 the surroundings than individuals who didn't  
20 participate in the sweat lodge ceremony -- but were  
21 outside the entire time would be more aware of the  
22 surroundings than somebody who had just experienced  
23 the sweat lodge?  
24 MR. LI: Objection. Argumentative.  
25 THE COURT: I think she asked the question as

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1 far as her experience might be. But in terms of  
2 what other people might experience, sustained.  
3 Q BY MS POLK: And I'm going to put up on  
4 the overhead Exhibit 23 you.  
5 THE COURT: Ms. Polk, I know you said that, but  
6 could you tell me what the exhibit number is on the  
7 one you just took off, please.  
8 MS. POLK: Actually, I believe this is  
9 Exhibit 28.  
10 THE COURT: Thank you.  
11 Q BY MS. POLK: Do you see yourself in this  
12 photograph, Ms Wendt?  
13 A No, ma'am.  
14 Q Would you agree that by the time this  
15 photograph is taken you've already at least gone  
16 over to the white tent?  
17 MR. LI: Objection. Lack of foundation. How  
18 could we tell from this photograph what sequence and  
19 when this was taken?  
20 THE COURT: I don't know if that can be  
21 answered from this photograph.  
22 Ma'am, if you can answer that.  
23 Overruled.  
24 You can answer if you're able to.  
25 THE WITNESS: I wish I could give you a time

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1 line of everything I did when I came out of that,  
2 but I can't. I can tell you what I did. But  
3 exactly when and, I mean, every little thing -- I  
4 just can't.  
5 Q BY MS POLK: It's a bit fuzzy for you?  
6 A It was a long time go, two years ago.  
7 Q When you first came out of the sweat  
8 lodge, how much times passed from the time you came  
9 out to the time you laid down on the ground at this  
10 position over by Christine?  
11 A You know, there again, I hate limiting  
12 myself by giving you a time. I really don't know.  
13 I came out and sat down right away. But I really  
14 don't know.  
15 Q When you sat down right away, did you sit  
16 down in that position that I just marked?  
17 A Probably.  
18 Q And there you got up, got your water  
19 bottle?  
20 A Probably.  
21 Q And then you walked over to the white  
22 tent?  
23 A Probably. I mean, I wish I could be more  
24 exact.  
25 Q Would you agree that you are not in this



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1 photograph that's marked as Exhibit 23?  
2 A. Uh-huh.  
3 Q Is that yes?  
4 A. Yes, ma'am. I apologize.  
5 Q And would you agree in this photograph  
6 that the woman in the fetal position is still in  
7 that fetal position?  
8 A. Yes, ma'am.  
9 Q I'm going to put up in the overhead  
10 Exhibit 24 Do you see that same woman who now  
11 appears to be on her side?  
12 A. Yes, ma'am.  
13 Q. Does she appear to be awake to you?  
14 MR. LI: Objection. Lack of foundation,  
15 Speculation.  
16 THE COURT: The photo speaks for itself for  
17 purposes of this. So sustained.  
18 Q BY MS. POLK Do you know how long  
19 Christine stayed lying down in that mud?  
20 A. No, ma'am.  
21 Q When did you next see Christine?  
22 A. Probably -- I don't know if I saw her at  
23 dinner but definitely at the closing ceremony.  
24 Q So you didn't see her until the closing  
25 ceremony?

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1 A. I don't really remember. Went and took a  
2 shower -- you know -- journaled some. I wasn't -- I  
3 burned my tobacco pouches. I mean, I don't remember  
4 exactly the time line of everything.  
5 Q I'm going to put up on the overhead  
6 Exhibit 25 Is that Christine or is that somebody  
7 else still lying there?  
8 A. Looks like Christine.  
9 Q Do you know whether she was dizzy?  
10 MR. LI: Objection. Lack of foundation,  
11 speculation.  
12 THE COURT: It's a yes or no. If she can  
13 answer that, she may.  
14 THE WITNESS: I don't know if she was dizzy.  
15 Christine. She's -- I mean, I don't know if she was  
16 dizzy. She loves to do -- she is a country girl.  
17 She loves the mud. She loves the dirt. That's just  
18 Christine. What can I say? If she was dizzy, I  
19 don't know.  
20 Q BY MS POLK: Would you agree that you  
21 don't know whether Christine was dizzy, whether she  
22 had a weakened pulse, whether she had a rapid heart  
23 rate, whether she felt weak, whether she was  
24 profoundly sweating, whether she was fatigued or  
25 disoriented? Would you agree that you don't know

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1 any of --  
2 MR. LI: Objection. Compound, argumentative,  
3 lacks foundation, relevant.  
4 THE COURT: How did the question end the  
5 last --  
6 Overruled.  
7 You may answer that.  
8 THE WITNESS: Well, I talked to her  
9 afterwards. I talked to her during all this. She  
10 was laughing and talking. I did not have any  
11 indication that she was anything.  
12 Q. BY MS. POLK: Okay.  
13 A. I mean, she wanted to splash in the mud  
14 with me. And I'm, like, ugh. No. I know I wasn't  
15 all -- I don't like mud.  
16 Q I'm going to put up on the overhead  
17 Exhibit 26 and ask you if you know what was going on  
18 back in this corner Do you see that group of  
19 people behind of people standing?  
20 A. No, ma'am.  
21 Q Were you ever aware of what was going on  
22 there?  
23 A. No, ma'am.  
24 Q. I'm going to put up on the overhead  
25 Exhibit 32 and again direct you to this back

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1 corner Do you have any recall today of what was  
2 going on in that back corner?  
3 A. No, ma'am. I was not part of that.  
4 Q. Let me put up on the overhead Exhibit 31.  
5 Do you know who that man is?  
6 A. No, ma'am.  
7 Q You don't recognize him at all?  
8 A. I really don't. I probably should but I  
9 don't. That's Marta next to him.  
10 Q Point to me Marta.  
11 A. It looks like Marta.  
12 Q. And do you recall her last name?  
13 A. No, ma'am.  
14 Q Was Marta part of James Ray's staff?  
15 A. Yes, ma'am.  
16 Q She was, in fact, an employee of James  
17 Ray?  
18 A. I think she worked with a sound company  
19 that he employed. I think. I'm not sure.  
20 Q. Would you agree that these people are  
21 hovered over somebody who appears to be in distress?  
22 MR. LI: Objection. Relevance, lack of  
23 foundation, speculation.  
24 THE COURT: Sustained.  
25 Q. BY MS POLK: Ms. Wendt, it's your

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1 testimony today that you were not aware when you  
2 came outside the sweat lodge that a group of people  
3 was hovered over somebody who was on the ground?  
4 **A. Yes, ma'am.**  
5 **Q** You were not aware of it then?  
6 **A. No, ma'am.**  
7 **Q** And you certainly don't recall it today?  
8 **A. No. I'm looking at pictures and stuff,**  
9 **but do I remember or can I comment on it while I was**  
10 **there? No, ma'am.**  
11 **Q** Either one?  
12 **A. No, ma'am.**  
13 **Q.** Okay. Let me put up on the overhead  
14 Exhibit 30 Do you know who that woman in pink is?  
15 **A. No, ma'am.**  
16 **Q.** You don't recognize her at all?  
17 **A. No, ma'am.**  
18 **Q** As a participant at the sweat lodge  
19 ceremony that you were in?  
20 **A. No, ma'am.**  
21 **Q** Someone that you spent how many days  
22 with?  
23 **A. Five.**  
24 **Q** Five?  
25 **A. No, ma'am.**

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1 **Q** Would you agree that this woman appears to  
2 be in medical distress?  
3 **MR. LI: Objection. Lack of foundation,**  
4 **speculation.**  
5 **THE COURT: I think I know what Ms. Polk is**  
6 **asking the question. The way it's phrased -- I can**  
7 **look at the picture. So the photograph speaks for**  
8 **itself. For that specific question the objection is**  
9 **sustained.**  
10 **Q** BY MS POLK Miss Wendt, you testified on  
11 direct examination that nobody around you was in  
12 distress Do you recall that testimony?  
13 **A. I did not see anybody in distress. I**  
14 **mean, when we were there, everybody was coming over,**  
15 **giving you water. I mean -- you know -- I was not**  
16 **aware that people were in distress. I mean, they**  
17 **came by and sat by me and gave me water, asked if I**  
18 **wanted fruit. Does that make sense? I mean, it**  
19 **just --**  
20 **Q** Well, would you agree that people were in  
21 distress? You just were not aware of it?  
22 **MR. LI: Objection. I'm sorry. Was that a**  
23 **hypothetical or is that assuming facts not in**  
24 **evidence? I didn't know if there was an "if" before**  
25 **that.**

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1 **THE COURT: I don't know what the basis of**  
2 **knowledge would be. Sustained on that specific**  
3 **question.**  
4 **Q.** BY MS. POLK It's your testimony today  
5 that you were never aware of this woman shown in  
6 this photograph?  
7 **A. I don't remember that woman.**  
8 **Q.** Is it possible that some of those 65  
9 participants were, in fact, throwing up and you  
10 weren't aware of it?  
11 **MR. LI: Objection. Calls for speculation.**  
12 **THE COURT: Overruled.**  
13 **THE WITNESS: It's possible.**  
14 **Q.** BY MS. POLK And is it possible that some  
15 of those 65 participants were unconscious and you  
16 were not aware of it?  
17 **A. It's possible.**  
18 **Q.** And is it possible that some of those 65  
19 participants were convulsing and you were not aware  
20 of it?  
21 **A. It's possible.**  
22 **Q.** I'm going to put up on the overhead  
23 Exhibit 33 Do you recognize the woman in the pink  
24 bathing suit?  
25 **A. Looks like Barbara.**

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1 **Q.** Barbara. Do you know her last name?  
2 **A. Waters.**  
3 **Q.** Would you agree that Barbara Waters is not  
4 awake in that photograph?  
5 **MR. LI: Objection. Lack of foundation, calls**  
6 **for speculation. The picture speaks for itself.**  
7 **THE COURT: I see the appearance. Sustained.**  
8 **Q.** BY MS. POLK. Were you aware of Barbara  
9 Waters after you got out of the sweat lodge  
10 ceremony?  
11 **A. Not at that time.**  
12 **Q.** Were you aware of her before you left the  
13 area of the sweat lodge ceremony to go back to your  
14 room to shower?  
15 **A. Not at that -- no.**  
16 **Q** You weren't aware of Barbara at all?  
17 **A. No, ma'am.**  
18 **Q** And you were not aware of Barbara lying on  
19 the ground not awake?  
20 **MR. LI: Objection. First part okay. Second**  
21 **part calls for speculation, assumes facts not in**  
22 **evidence.**  
23 **THE COURT: I think the "not awake" part is**  
24 **what you're objecting to.**  
25 **MR. LI: Yes, Your Honor.**

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1 THE COURT: Leaving that part out, the rest of  
2 the question can stand.

3 And you may answer that.

4 THE WITNESS: We were all laying on the  
5 ground. I mean, we were all laying on the ground.  
6 I guess I didn't really --

7 Q BY MS POLK: So lots of people were  
8 laying on the ground around you?

9 A Uh-huh.

10 Q And lots of people could have been  
11 unconscious?

12 MR. LI: Objection. Calls for speculation.

13 THE COURT: Hypothetical. Overruled.

14 You may answer that.

15 THE WITNESS: I guess. You know, we were all  
16 laying on the ground in the water and stuff.

17 Q BY MS POLK Well, you were lying on the  
18 ground for a while. And you got up, got your water,  
19 went to the tent, and then you went back to your  
20 room?

21 A I laid down in the tent for a while. I  
22 don't like being wet.

23 Q And then you -- it was only later that you  
24 learned that Barbara Waters actually had to be  
25 carried out of the sweat lodge?

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1 A Right.

2 Q And you learned that from her?

3 A Probably. Yes.

4 Q Probably or did you?

5 A I might have heard it at the sweat  
6 lodge -- not the sweat lodge but dinner or closing  
7 ceremony. I can't remember exactly. I had many  
8 conversations with Barbara afterwards.

9 Q Are you friends with Barbara?

10 A Yes, ma'am.

11 Q And Barbara is part of the World Wealth  
12 Society as well?

13 A Yes, ma'am.

14 Q When is the last time you had contact with  
15 Barbara Waters?

16 A Probably April.

17 Q Of this year?

18 A Probably. Maybe a little later.

19 Q What was the context of your contact with  
20 Barbara?

21 A We went to a meeting.

22 Q Conducted by whom?

23 A James.

24 Q James Ray conducted a meeting in April of  
25 this year?

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1 A I think it was April.

2 Q Of 2010?

3 A Yes, ma'am.

4 Q Where did he conduct that meeting?

5 A In California, his house.

6 Q What was the purpose of the meeting?

7 A It was kind of a closure thing. The  
8 people were upset that the WWS wasn't around  
9 anymore. So he was just kind of letting everybody  
10 know it was over.

11 Q Did he reimburse any fees to you?

12 A No, ma'am.

13 Q How many people attended that meeting in  
14 April?

15 A A handful, maybe 10 to 15. Somewhere in  
16 there. I don't remember. I mean, a group of us.

17 Q How long did that meeting last for?

18 A We were there a few hours for a couple of  
19 days. You know. We went there for a few hours on  
20 one day and a few hours the next day.

21 Q At his house?

22 A Yes, ma'am.

23 Q Did James Ray discuss the sweat lodge  
24 ceremony from 2009 during that meeting?

25 A No, ma'am. Not really. I don't remember

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1 him talking about it.

2 Q Did he discuss the sweat lodge ceremony  
3 from 2008?

4 A I don't think we really talked about the  
5 sweat lodges. No, ma'am.

6 Q At that meeting or over the course of two  
7 days, he disbanded the World Wealth Society?

8 A I think it was kind of disbanded  
9 beforehand. He was just trying to give us back  
10 something -- you know -- see how he could help us or  
11 things like that.

12 Q Did he say how it was that he could help  
13 you?

14 A No. I mean, we were just -- he would work  
15 with you if you wanted or answer anything about any  
16 of the events -- you know -- if you wanted to  
17 conclude any of that have stuff that you built up or  
18 came up for you. Does that make sense? But just --  
19 he just kind of wanted a concluding meeting type of  
20 thing. Or actually, people wanted it.

21 Q Had you been corresponding with him prior  
22 to the April meeting?

23 A No, ma'am.

24 Q How did you know about the April meeting?

25 A Christine Jobe.

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1 Q Did what?  
2 A. Notified us.  
3 Q Does she work for James Ray?  
4 A. No, ma'am.  
5 Q How did she know about the meeting? Do  
6 you know?  
7 A. I think she kind of formalized it, I  
8 think.  
9 Q I'm going to put up on the overhead  
10 Exhibit 41, which is -- show me again which one is  
11 Christine. Would you  
12 A. That one.  
13 Q And the lady next to her?  
14 A. I can't tell. It might be Gina. But I  
15 can't tell.  
16 Q. And let me direct your attention to the  
17 lady in the green shorts who is in the background  
18 Do you see her?  
19 A. Yes, ma'am.  
20 Q And there is another woman next to her  
21 still lying down?  
22 A. Yes, ma'am. And Wendy. Yes, ma'am.  
23 Q Who is this lady right there that I just  
24 pointed to?  
25 A. I can't tell.

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1 Q You can't tell?  
2 A. Everybody has their hair cut and they're  
3 muddy. They're wet. There is no make up. They're  
4 so out of context -- you know -- it's hard to tell  
5 who they are. I know Christine and Wendy and the  
6 people that I'm really good friends with. But the  
7 others that I'm acquaintances with, it's hard for me  
8 to recognize them.  
9 Q So you're not good friends with this lady?  
10 A. Which one?  
11 Q And you don't know who the lady with the  
12 green shorts is?  
13 A. I've never really seen her face. I've  
14 just seen parts of her body.  
15 Q In fact, would you agree that she -- in  
16 all the photographs you've seen, she is still curled  
17 up in a fetal position?  
18 MR. LI: Objection. Pictures speak for  
19 themselves, calls for speculation. Also move to  
20 strike the word "still."  
21 THE COURT: Overruled.  
22 You may answer that, if you can.  
23 THE WITNESS: She's still over there. Yes,  
24 ma'am.  
25 Q BY MS POLK Do you know who this woman

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1 is who is still lying down?  
2 A. I can't tell. It might be Wendy. I can't  
3 tell.  
4 Q. And would you agree, Ms Wendt, that you  
5 don't know when this exhibit, this photograph, was  
6 taken?  
7 A. Yes.  
8 Q And would you agree that you are not in  
9 the picture?  
10 A. Yes.  
11 Q Do you know how many people were still  
12 around the area when you went back to your room to  
13 shower?  
14 A. There were several.  
15 Q. Several. Well, we started with about 65  
16 participants. When you left to go shower, can you  
17 estimate for us how many were still there?  
18 A. No, ma'am. I just know people. I don't  
19 remember the --  
20 Q. Do you know approximately how many minutes  
21 passed before you left the area to go shower from  
22 the time you got out of the sweat lodge?  
23 A. I don't. I -- the most freeing thing for  
24 me for the whole week was that I didn't have a clock  
25 or a watch. You know. I just had time. So I

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1 don't -- it's really hard for me to put a  
2 measurement of time on it.  
3 Q What had you all been told about going  
4 back to the room after the sweat lodge ceremony?  
5 A. What had we been told?  
6 Q Well, in terms of timing. Were you told  
7 to go when you were ready? Were you told to go in  
8 30 minutes?  
9 A. No. Just to go when you were ready.  
10 Q Let me put up on the overhead Exhibit 53  
11 Would you agree that this photograph shows somebody  
12 leaving the area?  
13 A. Yes, ma'am.  
14 Q And would you agree that this -- there  
15 appear to be fewer people in this photograph than in  
16 the earlier photographs?  
17 A. Yes, ma'am.  
18 MR. LI: Objection. The -- it's shot in a  
19 greatly different --  
20 THE COURT: Sustained.  
21 Q BY MS POLK: Miss Wendt, you were shown  
22 numerous photographs by Mr. Li on direct  
23 examination. Do you recall that?  
24 A. Yes, ma'am.  
25 Q. And would you agree with me that you don't

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1 know how many minutes after the sweat lodge ceremony  
2 any of those photographs were taken?  
3 A. Yes, ma'am.  
4 Q You would agree with me?  
5 Do you know Sheryl Stern?  
6 A. Yes, ma'am.  
7 Q And tell the Court who Sheryl Stern was  
8 A. She worked for James Ray.  
9 Q Have you seen her since that Spiritual  
10 Warrior Seminar in 2008?  
11 A. I don't know. I mean, I don't know when  
12 the last time I saw her was.  
13 Q I'm going to put up on the overhead  
14 Exhibit 59 Do you see Sheryl Stern in that  
15 photograph?  
16 A. Yes, ma'am.  
17 Q Will you show us where she is  
18 Are you -- do you know whether Sheryl  
19 Stern stayed in the sweat lodge ceremony the entire  
20 time?  
21 A. I don't know.  
22 Q Do you recall seeing Sheryl when you got  
23 out of the sweat lodge ceremony?  
24 A. I don't remember her.  
25 Q You don't remember seeing her at all?

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1 A. I went looking for her.  
2 Q. Were you aware that Sheryl Stern pulled  
3 four people out of the sweat lodge because they were  
4 so weak?  
5 MR. LI: Objection. Assumes facts not in  
6 evidence, calls for speculation, lack of foundation,  
7 argumentative.  
8 THE COURT: Ms. Polk, response?  
9 MS. POLK: Your Honor, the facts are in  
10 evidence. This one refers to Exhibit 117 that has  
11 been admitted at Bates stamp No. 998. That's the  
12 interview of Sheryl Stern.  
13 And this is appropriate  
14 cross-examination. Mr. Li has tried to establish  
15 through the direct examination of this witness that  
16 there were no people in distress. And what I'm  
17 covering with this witness is that she simply was  
18 unaware that there were people in distress.  
19 THE COURT: And it's, of course, this is --  
20 it's to the Court. I'll overrule the objection in  
21 this context.  
22 And you can answer if you can.  
23 THE WITNESS: I did not see Sheryl pulling  
24 anybody from the sweat lodge.  
25 Q BY MS. POLK: Did you know a man named

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1 John DiMartino?  
2 A. No. I don't think so.  
3 Q Did you ever become aware of a man  
4 screaming, who was hysterical, screaming for his  
5 girlfriend who was still inside the sweat lodge  
6 ceremony?  
7 A. No.  
8 Q You were never aware of that?  
9 A. (No audible response.)  
10 Q. Did you know a woman named Michelle  
11 Goulet?  
12 A. Yes, ma'am.  
13 Q. And did you know she was there with her  
14 boyfriend?  
15 A. I don't remember if she was there with her  
16 boyfriend.  
17 Q. Were you ever aware that Sheryl Stern from  
18 the outside was lifting up the edge of the canvas to  
19 allow air to the people inside?  
20 A. No, ma'am.  
21 Q Did you know somebody named Mary?  
22 A. Mary.  
23 Q. Did you know a participant named Mary?  
24 A. Not off the top of my head.  
25 Q. Do you know Cynthia Manner?

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1 A. I'm so bad with names. Not right off.  
2 I'm sorry.  
3 Q Were you aware, Ms. Wendt, that somebody  
4 was taking photographs of the participants after the  
5 sweat lodge ceremony was over?  
6 A. Yes, ma'am.  
7 Q. Who was that?  
8 A. I don't remember. Maybe I just heard it  
9 and saw them on the website, Facebook or something.  
10 Q. You saw these photographs on the website?  
11 A. I don't think I saw these. I just heard  
12 there were pictures and some people had taken  
13 pictures of it.  
14 Q. Do you recall who you heard that from?  
15 A. No.  
16 Q. Did you know a woman named Susan Smyser?  
17 A. Yes, ma'am.  
18 Q And was she one of your friends?  
19 A. She became one later. Yes, ma'am.  
20 Q. Have you talked to Susan about her  
21 experience in the sweat lodge?  
22 A. No, ma'am.  
23 Q. So she became a friend later, but you've  
24 never talked to her about what happened to her in  
25 2008?

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1 A. Not really.  
2 Q Did Susan ever tell you that she believes  
3 she almost died inside that sweat lodge ceremony?  
4 A. No.  
5 Q Susan ever tell you that it took her two  
6 weeks before she felt okay after that ceremony?  
7 A. No.  
8 Q. Now, you talked about after the ceremony  
9 was over showering, going down for dinner and  
10 sitting with your group and talking Was that your  
11 testimony on direct examination?  
12 A. No. I sat by myself. There were  
13 people -- everybody was just kind of talking. I was  
14 by myself.  
15 Q It's your testimony you sat by yourself?  
16 A. I think so. I'm sure I sat with  
17 somebody. I just don't know really -- it wasn't --  
18 I don't remember who. I just sat down and ate.  
19 Q Right You were not in the mood to talk  
20 to other people?  
21 A. Correct. I did some but --  
22 Q In fact, you were still having your own  
23 experience from the sweat lodge carrying it forward  
24 to the closing ceremony?  
25 A. Sure.

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1 Q You talked about Julia Bunker and her  
2 husband. I'm going to put up on the overhead  
3 Exhibit 68 Is that Julia and her husband?  
4 A. Julia and Ralph.  
5 Q His name is Ralph?  
6 A. Yes.  
7 Q And Bunker, as you recall, is their last  
8 name?  
9 A. I think so.  
10 Q. Did you know that Julia Bunker took notes  
11 throughout the entire week of the Spiritual Warrior  
12 Seminar?  
13 MR. LI: Objection. Assumes facts not in  
14 evidence, timing, lack of foundation.  
15 THE COURT: Whether she did --  
16 She may answer that if she knows.  
17 THE WITNESS: I didn't know.  
18 Q BY MS POLK Did you ever see Julia  
19 Bunker's notes --  
20 A. No.  
21 Q -- taken You've never seen any notes by  
22 Julia Bunker?  
23 A. No, ma'am.  
24 Q. When was the meeting after the sweat lodge  
25 ceremony to talk about what happened in the sweat

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1 lodge ceremony?  
2 A. That night.  
3 Q. Was that the closing ceremony you referred  
4 to?  
5 A. Yes, ma'am.  
6 Q How long was that meeting for?  
7 A. As long as you wanted to be there.  
8 Q Where was that held?  
9 A. In the meeting room.  
10 Q. Did you go to that?  
11 A. Yes, ma'am.  
12 Q How long did you stay?  
13 A. A while.  
14 Q. Meaning an hour? two hours?  
15 A. We were all taking pictures and that kind  
16 of stuff and talking about what we were going to do  
17 next and where we were going to go and that kind of  
18 thing. I hung around for a while.  
19 Q Well, at some point was there a time when  
20 you sat down and talked about the sweat lodge  
21 experience?  
22 A. What do you mean? Like amongst my friends  
23 and stuff?  
24 Q. No. I'm sorry Was there a time that you  
25 sat down with James Ray and talked about the sweat

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1 lodge experience?  
2 A. Well, he talked -- what did he talk  
3 about? Yeah. He talked a little bit about it. I  
4 don't really remember --  
5 Q. When did he talk about it?  
6 A. At the beginning of the closing ceremony.  
7 Q And you were there for that?  
8 A. Yeah.  
9 Q. Do you recall James Ray talking about  
10 being willing to push through the pain and  
11 discomfort in the sweat lodge?  
12 A. I kind of remember that about a lot of  
13 times with him. But maybe specifically the sweat  
14 lodge.  
15 Q. Do you recall James Ray saying you have to  
16 be willing to push through, you have to be willing  
17 to not get out?  
18 A. I don't remember those exact words, but  
19 probably.  
20 Q. He could have said that? You have to be  
21 willing to not get out of the sweat lodge?  
22 A. I don't remember that. But to me  
23 that's -- to me it's just encouragement. I mean, I  
24 got out. I never thought I couldn't get out.  
25 Q. It's possible James Ray said that? You

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1 have to be willing not to get out?  
 2 A. I don't remember that. I'm sorry. I  
 3 mean, I don't know. Maybe.  
 4 MS. POLK: Thank you, Miss Wendt.  
 5 Thank you, Judge.  
 6 THE COURT: Thank you, Ms. Polk.  
 7 Mr. Li, we'll take the recess before  
 8 redirect. About 20 after.  
 9 Thank you.  
 10 (Recess.)  
 11 THE COURT: The record will show the presence  
 12 of the attorneys, the witness. Ms. Wendt is on the  
 13 witness stand.  
 14 And Mr. Li, you may redirect.  
 15 MR. LI: Thank you, Your Honor. It's going to  
 16 be quick.  
 17 REDIRECT EXAMINATION  
 18 BY MR. LI:  
 19 Q Good afternoon, Ms Wendt?  
 20 A Good afternoon.  
 21 Q In your cross-examination with Ms Polk,  
 22 you mentioned that James Ray events were  
 23 frightening Did you mean that in a physical sense?  
 24 an emotional sense? Both? What did you mean by  
 25 that?

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1 MS. POLK: Objection. Leading.  
 2 THE COURT: Overruled.  
 3 You may answer that.  
 4 THE WITNESS: Both.  
 5 Q BY MR LI And focusing on the emotional  
 6 side, what did you mean by -- how can an event be  
 7 emotionally frightening?  
 8 A Because I was going there to learn things  
 9 about myself that were uncomfortable.  
 10 Q And focusing for a second on the physical  
 11 aspects, take the sweat lodge, were there aspects of  
 12 the sweat lodge that were frightening as well?  
 13 A Truly unknown is always frightening.  
 14 Q And was one of the purposes -- tell me  
 15 what the purposes of these seminars was, relating to  
 16 frightening things.  
 17 A Well, for me it was to show me that I'm --  
 18 I can do anything and that there is -- this is for  
 19 me, that there is nothing as great as my fear  
 20 itself. You know.  
 21 Q You have nothing to fear but fear itself?  
 22 A Yes.  
 23 Q Mr Ray didn't come up with that, did he?  
 24 MS. POLK: Objection. Leading, Judge.  
 25 THE COURT: Sustained.

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1 Q. BY MR LI. Do you know who name came up  
 2 with you have nothing to fear but fear itself?  
 3 A. F.D.R.  
 4 Q. Franklin Delano Roosevelt?  
 5 A. Yes.  
 6 Q If we can focus on the Samurai Game  
 7 Ms Polk asked you some questions about Mr Ray,  
 8 quote, unquote, "condemning people to death." Do  
 9 you recall that line of questioning?  
 10 A. Yes, sir.  
 11 Q Did anybody at all in the ceremony  
 12 actually think they were being condemned to death?  
 13 MS. POLK: Objection. Foundation.  
 14 THE COURT: Sustained.  
 15 Q. BY MR LI. Did you think that you were  
 16 actually being condemned to death?  
 17 A. No, sir.  
 18 Q Did you think that any of the other people  
 19 who were playing this exercise were, in fact, being  
 20 condemned to death?  
 21 A. No, sir.  
 22 Q Did anyone around you act as if they  
 23 believed they had just been condemned to death?  
 24 MS. POLK: Objection. Speculative.  
 25 THE COURT: Overruled.

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1 You may answer.  
 2 THE WITNESS: No, sir. Nobody acted that way.  
 3 Q. BY MR. LI: Did the people who were on  
 4 your team take the game or the exercise seriously?  
 5 MS. POLK: Objection. Foundation.  
 6 THE COURT: Sustained.  
 7 Q. BY MR LI: Did they appear to take it  
 8 seriously?  
 9 MS. POLK: Same objection.  
 10 THE COURT: Sustained.  
 11 Q BY MR LI Did you take it seriously?  
 12 A Well, I was in the exercise.  
 13 Q. Did you think it was silly?  
 14 A. Yes.  
 15 Q Did other people roll their eyes?  
 16 A. Yes.  
 17 Q I'm going to ask you a few questions about  
 18 the sweat lodge ceremony and what happened  
 19 afterwards Now, you left the sweat lodge?  
 20 A. Yes, sir.  
 21 Q. And then where did you walk?  
 22 A. I went out and sat down on the ground.  
 23 Q Next to Miss Jobe? And I believe on  
 24 direct you said that was approximately from me to  
 25 you, indicating about 15 feet?

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- 1 A. Somewhere in there.  
2 Q And as you walked from the gate or the  
3 exit of the sweat lodge to Miss Jobe, were you able  
4 to see?  
5 A. Yes, sir.  
6 Q Were you able to hear?  
7 A. Yes, sir.  
8 Q Did you see or hear anybody in  
9 convulsions?  
10 A. No, sir. Not to my knowledge.  
11 Q Did you see or hear anybody unconscious?  
12 A. I didn't notice anybody.  
13 Q Did you see or hear anybody in --  
14 screaming out in pain?  
15 A. I didn't notice any.  
16 Q Then you sat with Miss Jobe for some  
17 period of time?  
18 A. Some time.  
19 Q. As you were sitting next to Miss Jobe,  
20 were you able to see and hear?  
21 A. Yes, sir. I was talking to Christine.  
22 Q. And did you observe anybody -- as you were  
23 sitting there talking to Christine, did you observe  
24 anybody in convulsions?  
25 A. I didn't see anybody in convulsions.

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- 1 Q Did you observe anybody unconscious?  
2 A. No, sir.  
3 Q. Did you see anybody that you believed  
4 needed assistance?  
5 A. Not that I noticed.  
6 Q And then after you sat with Miss Jobe, you  
7 then walked over to the tent, correct?  
8 A. Yes, sir.  
9 Q. And as you walked from the tent or from  
10 where Miss Jobe was to the tent -- strike that.  
11 How far is it from where Miss Jobe was to  
12 the tent?  
13 A. Probably to the wall. Somewhere in there.  
14 Q That's approximately 20 feet I know I've  
15 already done this exercise I think it's about 20  
16 feet  
17 As you walked from Miss Jobe to -- strike  
18 that.  
19 I think you also went and got your water  
20 bottle?  
21 A. I think so.  
22 Q As you walked over to get your water  
23 bottle, did you see anybody in convulsions?  
24 A. I didn't notice anybody in convulsions.  
25 Q Did you see anybody lying unconscious?

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- 1 A. People were lying on the ground. I did  
2 not notice anybody unconscious.  
3 Q Did you see anybody that you believed  
4 needed your assistance?  
5 A. No, sir.  
6 Q. And then you walked over from where the  
7 water bottles were to the tent?  
8 A. Yes, sir.  
9 Q And as you walked from where the water  
10 bottle was to the tent, did you see anybody you felt  
11 you needed to assist?  
12 A. If I did, I would have. I mean, no, sir.  
13 Q If you had seen somebody who needed  
14 assistance, would you have helped them?  
15 A. Sure.  
16 Q. I'm going to move to the end of the sweat  
17 lodge, all of it, and then the ceremony that  
18 evening You went to the ceremony?  
19 A. Yes, sir.  
20 Q. Were people talking around you?  
21 A. Yes, sir.  
22 Q And they were talking about all sorts of  
23 things?  
24 A. Yes, sir.  
25 Q. Their experiences at the retreat?

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- 1 A. Yes, sir.  
2 Q. Did they talk about their experiences on  
3 the Vision Quest?  
4 A. Yes, sir.  
5 Q About their experiences in the Samurai  
6 Game?  
7 A. Yes, sir. All of it.  
8 Q Experiences at the sweat lodge?  
9 A. Sure.  
10 Q. During the course of those conversations  
11 that you overheard, did you hear anybody say I was  
12 unconscious?  
13 A. No.  
14 Q. Did you hear anyone say I was in  
15 convulsions?  
16 A. No.  
17 Q Did you hear anyone say I needed medical  
18 distress?  
19 A. No.  
20 Q. I'm sorry I think I misspoke. Did you  
21 hear anyone say I was in medical distress?  
22 A. No.  
23 Q I needed medical aid?  
24 A. No.  
25 Q You didn't hear any of that?



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1 A. I didn't hear any of that.  
2 MR. LI: I have nothing further, Your Honor.  
3 THE COURT: Thank you, Mr. Li.  
4 Thank you, Ms. Wendt.  
5 May this witness be excused?  
6 MR. LI: Yes, Your honor.  
7 MS. POLK: Yes, Your Honor.  
8 THE COURT: You are excused at this time.  
9 Thank you.  
10 (End of partial transcript )  
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1 STATE OF ARIZONA )  
2 ) ss: REPORTER'S CERTIFICATE  
3 COUNTY OF YAVAPAI )

4 I, Mina G. Hunt, do hereby certify that I  
5 am a Certified Reporter within the State of Arizona  
6 and Certified Shorthand Reporter in California.

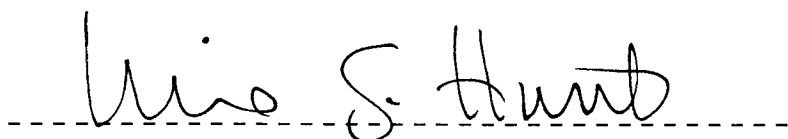
7 I further certify that these proceedings  
8 were taken in shorthand by me at the time and place  
9 herein set forth, and were thereafter reduced to  
10 typewritten form, and that the foregoing constitutes  
11 a true and correct transcript.

12 I further certify that I am not related  
13 to, employed by, nor of counsel for any of the  
14 parties or attorneys herein, nor otherwise  
15 interested in the result of the within action.

16 In witness whereof, I have affixed my  
17 signature this 25th day of November, 2010.

18 \_\_\_\_\_  
19 MINA G. HUNT, AZ CR No. 50619  
20 CA CSR No. 8335  
21  
22  
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1 STATE OF ARIZONA )  
2 COUNTY OF YAVAPAI ) ss: REPORTER'S CERTIFICATE  
3  
4 I, Mina G. Hunt, do hereby certify that I  
5 am a Certified Reporter within the State of Arizona  
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13 to, employed by, nor of counsel for any of the  
14 parties or attorneys herein, nor otherwise  
15 interested in the result of the within action.  
16 In witness whereof, I have affixed my  
17 signature this 25<sup>th</sup> day of November 2016.  
18  
19  
20  
21  
22  
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24  
25

  
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MINA G. HUNT, AZ CR No. 50619  
CA CSR No. 8335